success, and who are interested in giving employment to the people in the State of West Virginia. Many of them are conscientious and want to help in giving employment and carrying out the real purpose of the act.

What else did this man do? Let me show his conduct relative to his attempt to be Governor. I hold in my hand the first bulletin published by the Works Progress Administration, the Progressor. On the front page of it is Mr. McCullough's picture, and under that "F. W. McCullough, administrator." It should have said "Candidate for Governor." In other words, it asks for loyalty to him as administrator of the W. P. A., expecting to carry that loyalty through so that they would be loyal to him as a candidate for Governor of West Virginia.

I checked one article in this magazine which was written by the W. P. A., just one article, and I found that Mr. McCullough's name was mentioned 23 times, telling about the wonderful work Mr. McCullough was doing—written by his own force, and in some instances written by his own hand—telling about how great a man he was and how he should continue as administrator.

Not only has he done this to build up his organization, but he got a young fellow, a very fine fellow, I may say, who was earning around $30 a week on a newspaper, and put him on the pay roll at $3,400 a year, or $283 a month, and his business was to write publicity about the administrator himself. Think of that—from a $30-a-week job to a $3,400-a-year job, in order that Mr. McCullough's name might be kept before the people of the State of West Virginia!

Mr. McCullough has constantly used his office not to relieve unemployment but to make the 55,000 on the rolls work for him. I called him up one day and said, "Mr. McCullough, I wish this project could be completed." He said: "Those men in that section did not vote right, and I think they need to be told how to vote." In other words, it was not a question whether the project would be completed, but whether it would help his particular game of seeking the governorship of the State of West Virginia.

I know some of those listening to me wonder why this should be brought out in public. I am stating these things in order that the people of West Virginia may not blame the national administration for what is going on. I am very hopeful that the national administration will remove from its pay roll in the State of West Virginia a man who is doing much to destroy President Roosevelt, much to destroy the present administration, in order that he might continue along his present line as a political candidate. I do this because I believe in the principles of work relief. I think work relief is for the man who needs it, not for the politician to go into office on.

I made a statement last week, and I repeat it. Mr. McCullough either ought to get out of the race for Governor or he ought to get out of the W. P. A. There is no place for a candidate for a State-wide office running the W. P. A. and dictating orders to men who have to buy bread with what they received for the work they do under his dictation and orders.

In many instances projects have been stopped because politicians have asked him to stop them. I repudiate that, and I want to say that I am very hopeful that the national administration, through the Works Progress Administration, will investigate these charges, and if I cannot prove every single charge against Mr. McCullough I will apologize from the same spot where I am making the charges.

I charge Mr. McCullough with using the office he holds for nothing more than to try to carry himself to the office of Governor, not for the administration of the Work Relief Act itself.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. SCHWELLENBACH in the chair), as in executive session, laid before the Senate messages from the President of the United States submitting several nominations (and withdrawing a nomination), which were referred to the appropriate committees.

(For nominations this day received and nomination withdrawn, see the end of Senate proceedings.)

RECESS

Mr. BARKLEY. Mr. President, I move that, in accordance with the order previously entered, the Senate take a recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 3 o'clock and 45 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Tuesday, February 18, 1936, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate February 17 (legislative day of Jan. 16), 1936

PUBLIC WORKS ADMINISTRATION

William J. Farley, of Connecticut, to be State director of the Public Works Administration in Connecticut.

APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY

TO QUARTERMASTER CORPS

First Lt. Richard Byington Carhart, Infantry, with rank from August 1, 1935.

WITHDRAWAL

Executive nomination withdrawn from the Senate February 17 (legislative day of Jan. 16), 1936

POSTMASTER

KENTUCKY

Mary R. Meredith to be postmaster at Mammoth Cave, in the State of Kentucky.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 17, 1936

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, the Father of our Lord and Savior, who touched the very depths of sacrificial love, be our portion now and forever. We thank Thee for the assurance that Thou wilt keep him in perfect peace whose mind is stayed on Thee because he trusteth in Thee. O God, enrich our souls, give us new conceptions of life, new meanings of the Holy Bible, and new outlooks on the eternal. All that we can claim of time is today; help us to live it well. We shall then be prepared for a better tomorrow. Grant that righteousness may prevail throughout our whole land. O purge the evil leaven that poisons its arteries and cleanse them of sin, shame, and falsehood; pour into its veins a new life, rich in power, health, and blessing. Let Thy gracious favor rest upon the Congress this day, and Thine shall be the praise forever. Through Christ. Amen.

The Journal of the proceedings of Friday was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On February 11, 1936:

H. R. 3421. An act to authorize credit in disbursing officers' accounts covering shipment of privately owned automobiles from October 12, 1927, to October 10, 1929;

H. R. 3709. An act for the relief of the Norfolk Southern Railroad Co.;

H. R. 4805. An act authorizing adjustment of the claim of the Adelphia Bank & Trust Co. of Philadelphia;

H. R. 6402. An act for the relief of Julia M. Crowell;

H. R. 7814. An act to authorize the Secretary of Commerce to grant to the State of California an easement over certain land of the United States in Tehama County, Calif., for highway purposes;

H. R. 9871. An act to amend an act entitled "An act providing for the participation of the United States in the Cali-

fornia-Pacific International Exposition to be held at San Diego, Calif., in 1935 and 1936; authorizing an appropriation therefor, and for other purposes", approved March 7, 1935, to provide for participation in the California-Pacific International Exposition to be held at San Diego, Calif., in 1936, to authorize an appropriation therefor, and for other purposes;

H. R. 10464. An act making appropriations to provide urgent supplemental appropriations for the fiscal year ending June 30, 1936, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1936, and for prior fiscal years, and for other purposes; and

H. J. Res. 459. Joint resolution to amend the joint resolution entitled "Joint resolution providing for the participation of the United States in the Texas Centennial Exposition and celebrations to be held in the State of Texas during the years 1935 and 1936, and authorizing the President to invite foreign countries and nations to participate therein, and for other purposes."

On February 12, 1936:

H. J. Res. 307. Joint resolution authorizing the erection of a memorial to the early settlers whose land grants embrace the site of the Federal City.

On February 13, 1936:

H. R. 10929. An act to amend the District of Columbia Unemployment Compensation Act with respect to excepted employment.

PRIVILEGES OF THE HOUSE

Mr. TABER. Mr. Speaker, I rise to a question of the privilcges of the House.

Mr. Speaker, on Friday last, on page 2068 of the RECORD, I reserved the right to object to the extension of remarks which the gentleman from Washington [Mr. ZIONCHECK] requested at that time. As I understood, the gentleman stated it would not take over a half page for his extension of remarks in the RECORD. The RECORD shows he said a page and a half. There were inserted in the RECORD certain tables, which run from page 2069 to page 2081, a total of 13 pages, at a cost to the Government of $565.

Mr. Speaker, it seems to me that is an abuse of the privileges of the House in this manner and should not be tolerated. If a Member asks unanimous consent in connection with extension of remarks to cover a page and a half and inserts in the RECORD a total of 13 pages, it seems to me the extension should not be permitted by the RECORD clerk.

Mr. ZIONCHECK. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Washington.

Mr. ZIONCHECK. I admit that I said it would take a page and a half. I thought at the time that the statement was true. I admit that this extension cost $565, but I was trying to save the Government $23,000,000, and the gentleman from New York [Mr. TABER] was not here to help me. I was trying to keep the appropriation down.

Mr. TABER. I was here.

Mr. ZIONCHECK. The gentleman did not try to save any money that day.

Mr. TABER. Yes; I was.

Mr. ZIONCHECK. I was trying to save $23,000,000.

Mr. TABER. Mr. Speaker, it seems to me that when a Member causes an extension of that character to be inserted in the CONGRESSIONAL RECORD it should not go unnoticed. I do not think the extension should be permitted to stay in the RECORD under the circumstances.

Mr. ZIONCHECK. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Washington.

Mr. ZIONCHECK. I want to apologize for the length of the extension. I was in such a big hurry that day I did not have time to figure it out. I was moving too fast. I did not do it intentionally. Of course, I put it in intentionally, but I did not intend that it take over a page and a half. I am not a printer, and I did not know how much space these things would take.

Mr. RICH. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Pennsylvania.

Mr. RICH. It seems to me that the gentleman from Washington [Mr. ZIONCHECK] ought to apologize to the gentleman from New York, because, if there is anyone in the House of Representatives trying to save money for this Government, it is the gentleman from New York [Mr. TABER].

The SPEAKER. The Chair will state that the question of the privileges of the House should properly be brought before the House by way of a resolution. That has not been done in this case, and the Chair, therefore, feels that the question of privilege has not been presented in proper form.

The Chair will say that there are three special orders today—one under which the gentleman from Georgia [Mr. Cox] is permitted 30 minutes to address the House immediately after the reading of the Journal and disposition of business on the Speaker's desk. This is to be followed by the gentleman from Maine [Mr. HAMLIN], who will address the House for 15 minutes, to be followed by the gentleman from Minnesota [Mr. KNUTSON], for 10 minutes. Of course, any recognitions that are made now are made subject to the consent of these gentlemen, because under the special order of the House they have the right to the floor at this time.

Mr. WOODRUM. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WOODRUM. Mr. Speaker, in the interest of orderly procedure, I should like to propound a parliamentary inquiry to the Speaker.

If I understand the rules of the House, they provide that in debate should a Member desire to address the House or the Speaker he must first secure recognition of the Speaker. If a Member has the floor and is addressing the House or the Speaker and another Member desires to interrogate him, interrupt, or interject remarks, he must first secure the permission of the Member who has the floor.

Mr. Speaker, I observe a custom growing up here of Members getting up and a number of them talking at once, with the Speaker pounding for order. It seems to me that they must not understand the rules, or else I do not understand them. I do not understand that under the rules a Member has a right to cut into another Member's speech, or interrupt the Member when he is trying to speak, or while the Speaker is trying to make a ruling or is addressing the House. I think the Speaker should rule on this matter.

The SPEAKER. The gentleman is correct. The Chair has had occasion several times, according to his distinct recollection, to call this rule to the attention of the Members of the House. It is a violation of the rules of the House for a Member to interrupt another Member when he has the floor without first addressing the Chair and obtaining the consent of the Member having the floor before he interrupts.

In order that the matter may be entirely plain, the Chair is going to read the rule to the House for the third or fourth time. The rule provides:

> When any Member desires to speak or deliver any matter to the House he shall rise and respectfully address himself to Mr. Speaker, and on being recognized may address the House from any place on the floor or from the Clerk's desk, and shall confine himself to the question under debate, avoiding personalities.

The gentleman from Virginia [Mr. WOODRUM] is correct. Whenever a Member has the floor and is addressing himself to any subject before the House, under the rules, a Member who desires to interrupt him should first address the Chair. After addressing the Chair and obtaining the consent of the Member for the interruption, of course, he may then proceed subject to the wish of the Member who has the floor at the time.

As the Chair has stated, there are three special orders for today. The Chair will not recognize any Member who wishes to address the House for any length of time without the consent of these three gentlemen.

The Chair will recognize at this time requests for correction of the RECORD, the presentation of a rule, or any matter of that kind which does not involve debate.

PRICE LEVEL

Mr. GOLDSBOROUGH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include

therein a resolution passed by the Maryland Farm Bureau Federation at its recent meeting on the question of price levels. It is a very short resolution.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GOLDSBOROUGH. Mr. Speaker, under leave to extend my remarks in the RECORD I include a resolution passed by the Maryland Farm Bureau Federation at its recent meeting on the question of price levels, as follows:

The past 6 years has seen the general price level go from the high level of 1929 to the low of 1932.

The experiences of the past have proved that in an abrupt price-level change salaries always lag from 5 to 10 years behind prices. Farm prices today are still out of fair relation to taxes, freight rates, farm machinery, professional services, etc.

During a time that price disparity exists, interchange of goods between farm groups and other groups is greatly decreased. Farmers with low purchasing power meet only necessary obligations, their farm buildings and equipment suffer, education and health are neglected, and millions of idle men walk the street.

Prosperity cannot return when agriculture furnishes one-sixth the Nation's capital, represents one-fourth the gainfully employed labor, and receives only one-tenth the national income.

On May 8 last, Representative ALAN GOLDSBOROUGH, of our State, introduced an amendment to the banking bill which was lost by a vote of 122 to 128. Had this amendment passed, it would have made it mandatory that the price level be raised to the 1926 level. It would have created legislation to prevent violent price-level fluctuations; be it therefore

Resolved, That we reaffirm our position on backing the A. F. B. F. in their program for monetary reform.

We believe that the right time to enact legislation, to restore price levels and create a managed currency is now while the entire Nation knows that the need exists; be it further

Resolved, That we send a copy of this resolution to President O'Neal, of the American Farm Bureau Federation, and to the committee for the Nation.

EXTENSION OF REMARKS

Mr. LANHAM. Mr. Speaker, I ask unanimous consent to extend my remarks by placing in the RECORD at this point a brief letter I have received from Lawrence Westbrook, Assistant Administrator of the Works Progress Administration, in explanation of a situation existing there concerning which I made a talk on the floor a few days ago.

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to ask the majority leader if he is going to permit this matter to go into the RECORD at this point?

Mr. LANHAM. May I say to the gentleman the only reason I ask that is because it is in explanation of a situation about which I myself talked on the floor.

Mr. MARTIN of Massachusetts. This is merely an extension of the RECORD?

Mr. LANHAM. Yes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The matter referred to follows:

WORKS PROGRESS ADMINISTRATION,
Washington, D. C., February 15, 1936.

MY DEAR CONGRESSMAN LANHAM: In agreement with my conversation with you today I am giving you herewith the circumstances under which officers from the Corps of Engineers of the Army were assigned to duty with this Administration.

In September 1935 the Works Progress Administrator, who was faced with the problem of placing in operation a large works program under which nearly 3,000,000 people would be given employment, requested that the Chief of Engineers of the Army act as an engineering adviser to him and that the services of a limited number of officers of the Corps of Engineers be made available to the Works Progress Administration. Instructions to effect this were transmitted by the President to the Secretary of War. In accordance with these instructions certain officers of the Corps of Engineers have been on temporary duty with the Works Progress Administration since the end of September of last year. The maximum number so detailed at any one time was 43, and the present number is 37. Both of these totals include five officers who give a portion of the time to the Works Progress Administration while continuing to carry on their regular duties under the War Department.

In making these officers available the Chief of Engineers has cooperated splendidly with the Works Progress Administration in the face of the fact that the greatly increased volume of work for which he is responsible made it difficult to release his officers for this purpose. It has been understood and agreed between the Works Progress Administrator and the Chief of Engineers that the arrangement is of a temporary nature, and it is the present intention of the Works Progress Administration to release the majority of these officers within the next 2 months, so that they may return to their regular duties.

These officers were detailed to the Works Progress Administration during a period which involved extreme difficulties in organizing and putting in operation a gigantic employment program. They have given faithful and efficient service at much personal inconvenience and considerable uncompensated expense to themselves, and their contribution to the success in carrying out the President's purpose of providing employment by work on useful projects has been an outstanding one. Civilian engineers, capable of performing the very important specific duties assigned to these officers, could not have possibly been obtained for the short length of time that their services were required.

There are, however, approximately 4,000 civilian engineers employed to supervise the 75,000 separate W. P. A. projects now operating. It will thus be seen that the engineers detailed from the Corps of Engineers of the Army represent less than 1 percent of the total engineering personnel utilized by this Administration.

Thanking you for giving me the opportunity to clarify this misunderstanding, I am,

Very sincerely yours,

LAWRENCE WESTBROOK,
Assistant Administrator.

The Honorable FRITZ LANHAM,
House Office Building, Washington, D. C.

ORDER OF PROCEDURE

Mr. ZIONCHECK. Mr. Speaker, I rise now to ask unanimous consent to comment upon the Speaker's ruling; in other words, I want the RECORD to show that this breaking into the RECORD with remarks has been going on right along.

Mr. Speaker, I submit a point of order.

The SPEAKER. The gentleman will state it.

Mr. ZIONCHECK. The Chair made some remarks and read the rule. We all know the rule; but the custom has been otherwise, and one has to fight fire with fire here, and I want the RECORD to show that.

The SPEAKER. The gentleman will state his point of order.

Mr. ZIONCHECK. I will observe the rule if they will.

Mr. BOYLAN. Regular order, Mr. Speaker.

The SPEAKER. The Chair made reference to no particular individual in the House. The Chair was simply calling the attention of all the Members of the House to the rules under which it is intended the House shall proceed.

AGRICULTURE—A LOCAL ACTIVITY AND A NATIONAL PROBLEM

Mr. LARRABEE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an address made by the Honorable Henry A. Wallace, Secretary of Agriculture, at Indianapolis, February 12.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. LARRABEE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following statement of Hon. Henry A. Wallace, Secretary of Agriculture, at a meeting of the Indiana Farm Bureau Federation at Indianapolis, Ind., February 12, 1936:

Recent decisions of the United States Supreme Court have compelled the American people to reexamine the responsibility of the Federal Government toward agriculture and the general welfare. The power of the Federal Government to "promote the general welfare" has been questioned, in fact if not in theory. A venerable doctrine—the doctrine of States' rights—has been injected into the farm problem.

Lincoln's Birthday is an appropriate time on which to discuss matters like these. Lincoln had to define for his generation the general welfare and Federal responsibility for it. He knew something about such diverse things as agriculture and States' rights.

But first, let us think of the man himself. It may be he was a genius; certainly he was a complex character and a lonely one. We do not always understand lonely men, but they may have qualities which draw us to them. We all like to remember Lincoln for his most obvious virtues, his passionate sense of justice and his scorn of injustice, his kindliness, his capacity for pity, his earthly humor, and a wisdom which seemed to come from a source deep within him.

A man with these qualities is likely to have enemies. Lincoln had many of them. They denounced him as a dangerous radical. From their point of view, the description was accurate. He challenged economic, social, and political institutions which they did not wish to see challenged. He was dissatisfied with things as they were, and insisted on talking about things as they ought to be. By the time he was 27 he had spoken out in favor of woman suffrage—at least two generations ahead of his time. When he was 33 he was on record on two other issues. Speaking on Washington's Birthday, 1842, he said: "And when the victory shall be complete, when there shall be neither a slave nor a

drunkard on the earth, how proud the title of that land which may truly claim to be the birthplace and the cradle of both those revolutions that shall have ended in that victory." And we must remember that in that day slave property was almost as sacred as corporate property is today.

Against a man with such views, and who insisted upon expressing them at the most inopportune times, such men as Douglas were logical opponents. Today we remember Douglas chiefly because he debated with Lincoln, but at that time he was popular in the best circles, possessed the most distinguished political and social connections, and therefore was known to hold only the "soundest" ideas—the ideas; that is, held by those who thought Lincoln uncouth and a dangerous radical.

Lincoln's ideas, however, are less important to us today than his attitude, his spirit. This occasion will be wasted unless we can use it to recapture, if possible, some of the spirit of Lincoln. Our problems are different, and our solutions certainly will not be the solutions forced on Lincoln; but we can profitably recall his attitude toward the problems and events of his day.

I suppose no American has ever studied the Constitution and the ideas of the founding fathers more earnestly and honestly than Lincoln. As a result, he felt he knew what the Constitution was for, and what it was not for. He wished to be guided by the intent and spirit of the Constitution as expressed in the preamble. He seemed to take the view taken by some of the greatest interpreters of the Constitution. Justice Story, for example, told the narrow constructionists of his day that all provisions of the Constitution are to be interpreted in harmony with the preamble.

From the bottom of his heart Lincoln believed slavery wrong, and said so. But until the tragedy of war overtook him he did not propose to molest slavery in the States where it was established. He hoped peaceful forces would in time provide the remedy there. But that slavery should be extended to the Territories, and perhaps even into the free States, was to him unthinkable. He was sure that the men who framed the Constitution neither expected nor desired to see slavery extended. Certainly many of them spoke with longing of the day when it might be abolished.

It was therefore a terrific shock to Lincoln to have the Supreme Court rule in the Dred Scott case that a slave owner could take his slaves into a Territory. In effect that made slavery legal in a Territory, even though the people of the Territory might wish otherwise.

In 1856, a year before the decision was handed down by a divided Court, Lincoln thought the issue might be settled by a decision of the Supreme Court. But when the decision came, when he grasped the full import of it, he knew he could not and the Nation ought not accept it as final.

Lincoln was reluctant, however, to join in the savage attacks of the extreme Abolitionists, such as the New York Tribune under Horace Greeley, for he cherished an abiding respect for the traditions of the Court and the ideals it was established to serve. But it seemed to him a choice between the Constitution and the Court, and he chose the Constitution.

He knew that the Court did not have to pass upon the constitutionality of the Missouri Compromise Act at all—an act in existence, incidentally, for 27 years at the time of the Dred Scott decision. In fact, the Court had first agreed to avoid deciding the case on the broad constitutional grounds, but for a variety of reasons changed its mind and finally handed down a decision in which a majority held the Compromise Act unconstitutional.

The extreme Abolitionists immediately launched a bitter attack on Chief Justice Taney and the majority. The New York Tribune, which had previously accused the justices of being "artful dodgers" for postponing a decision until after the election of Buchanan, now began a daily onslaught against the Court. The Tribune summed up its attitude when it said that the Dred Scott decision "is entitled to just so much moral weight as would be the judgment of a majority of those congregated in any Washington barroom."

Lincoln's language, by contrast, was temperate and statesmanlike. He took the view that the Dred Scott decision was a tragic abuse of judicial power. He knew that the majority on the Court had misread the trend and the temper of the times. He would have been amazed to learn, what we now know, that the judges did not realize in the slightest degree the effect the decision was to have, nor did they doubt that a decision by them would actually settle the issue.

In 1858, in his debates with Douglas, Lincoln stated that he declined to abide by the decision as rendered. Let me give you Lincoln's exact words:

"* * * we think the Dred Scott decision is erroneous. We know the Court that made it has often overruled its own decisions, and we shall do what we can to have it overrule this. We offer no resistance to it."

And in his inaugural address in 1861, while still expressing his belief that constitutional questions could be decided by the Supreme Court, he added:

"At the same time the candid citizen must confess that if the policy of the Government, upon vital questions affecting the whole people, is to be irrevocably fixed by decisions of the Supreme Court, the instant they are made in ordinary litigation between parties in personal actions the people will have ceased to be their own rulers, having to that extent practically resigned their Government into the hands of that eminent tribunal."

These statements did not silence Lincoln's enemies. They continued to charge that he was violating his oath of office; that he was undermining faith in the Supreme Court; that he was a demagogue, a breeder of sectional hatred; and that he was out to wreck the Constitution. To these attacks Lincoln made effective reply in a letter to A. G. Hodges on April 4, 1864. He summed up his attitude in the following words:

"I took an oath that I would, to the best of my ability, preserve, protect, and defend the Constitution of the United States. * * * I understand, however, that my oath to preserve the Constitution * * * imposed upon me the duty of preserving, by every indispensable means, that Government, that Nation of which the Constitution was the organic law. Was it possible to lose the Nation and yet preserve the Constitution? By general law, life and limb must be protected; yet often a limb must be amputated to save a life, but a life is never wisely given to save a limb.

"I felt that measures otherwise unconstitutional might become lawful by becoming indispensable to the preservation of the Constitution through the preservation of the Nation. Right or wrong, I assumed this ground and now avow it. I could not feel that, to the best of my ability, I had even tried to preserve the Constitution if to save slavery or any minor matter I should permit the wreck of the Government, country, and Constitution all together."

In the years since Lincoln fortunately no issue has become as acute as that which he faced. The issues before us today are difficult and full of grave meaning, but it is still possible, I hope, to discuss them calmly and reasonably.

By the time Lincoln had reached the Presidency the die was cast, the tragedy well toward conclusion.

The cynic says the only thing we learn from history is that we learn nothing from history. I do not believe that. As a people we have learned some things from the tragedy of the Civil War, and one of them is that to prevent fatal conflict we must deal courageously with conflicting forces and interests long before the conflict becomes acute. We shall be able to do that, it seems to me, if all of us—whether in the executive, the legislative, or the judicial branches of government, whether a private citizen or a Government officer—can in some degree recapture the spirit with which Abraham Lincoln approached the Court and the Constitution.

On occasions when it is apparent that the Supreme Court has reached decisions plainly wrong—wrong because they are in opposition to fundamental economic and social trends of the times, or wrong because they are unjust, however legal—on such occasions it is the duty of citizens and officers of the Government to point out the error of the Court. Unless we can do this, preferably in the calm, matured way in which Lincoln did it, then we have a judicial dictatorship. Whatever else the founding fathers may have intended, they did not intend a dictatorship by any one of the three branches of government, least of all by the branch most removed from contact with or restraint by the people.

As the three dissenting Justices in the Hoosac Mills case reminded the majority of the Court, "while unconstitutional exercise of power by the executive and legislative branches of the Government is subject to judicial restraint, the only check upon our own exercise of power is our own sense of self-restraint. For the removal of unwise laws from the statute books appeal lies not to the courts but to the ballot and to the processes of democratic government." In other words, when judges are lacking in self-restraint, we have the makings of a judicial dictatorship.

We once had a law making it an offense to criticize the President. That was in 1798. Public resentment at that law helped Thomas Jefferson organize the Democratic Party and sweep into power in 1801. Jefferson could think of nothing more abhorrent to our form of government than a law or a custom which in any way interfered with freedom of speech. He was shocked that freedom of speech, among other inalienable rights, had not been written into the Constitution by the Constitutional Convention, and he urged immediate passage of the first few amendments to guarantee such rights. In his Presidency he was as cruelly attacked as Lincoln was in his, but he stuck to his belief in freedom of speech. He also asserted his own right, both as President and as a private citizen, to say exactly what he thought. He was one of an impressive list of Presidents to disagree with decisions of the Supreme Court and to say that a wrong decision ought not to be allowed to stand.

It is therefore not only the constitutional right but the privilege and duty of the conscientious American citizen to speak his mind about any governmental act or policy which he believes to be wrong. Do you know of any reason why that privilege and duty should be applied to the executive and the legislative branches and not to the judiciary? Were Jefferson, Jackson, Lincoln, Grant, and Theodore Roosevelt un-American because they disagreed with judicial decisions?

Partisan considerations and financial considerations may cause some people to think so, but I cannot believe that the members of the Supreme Court think so. I know that William Howard Taft, when a circuit court judge, said that "the opportunity freely and publicly to criticize judicial action is of vastly more importance to the body politic than the immunity of courts and judges from unjust aspersions and attack." I know that Mr. Justice Brewer, long an honored member of the Supreme Court, wrote in 1898 as follows:

"It is a mistake to suppose that the Supreme Court is either honored or helped by being spoken of as beyond criticism. On the contrary, the life and character of its justices should be the objects of constant watchfulness by all, and its judgments subject to the freest criticism. The time is past in the history of the world when any living man or body of men can be set on a

pedestal and decorated with a halo. True, many criticisms may be, like their authors, devoid of good taste, but better all sorts of criticism than no criticism at all. The moving waters are full of life and health; only in the still waters is stagnation and death."

The wisest members of the Supreme Court during the past 150 years have repeatedly disclaimed infallibility. Men have emotions and prejudices, you know, however conscientiously they may try to stifle them. But, beyond and above all this, how in the world can our system of government possibly function unless the people are free to examine and criticize the actions of all three branches? Our system of government has endured as long as it has in large part because the American people have been free to demand of all three branches of government accountability to the sovereign will of the people.

I have suggested that the decision in the Hoosac Mills case, in which the Agricultural Adjustment Act was declared in violation of States' rights by a majority of the Supreme Court, compels us to reexamine the responsibility of the Federal Government toward agriculture. Until this decision the prevailing notion of Federal responsibility was based upon a long series of declarations and legislative acts, the declarations beginning with George Washington, the legislative acts beginning mainly in the administration of Abraham Lincoln.

There is no need to rehearse all of those today. You must be familiar with the interest of the founding fathers in agriculture and of the prevailing opinion, expressed by Washington in his Farewell Address. "It will not be doubted", he declared, "that with reference either to individual or national welfare agriculture is of primary importance. In proportion as nations advance in population and other circumstances of maturity, this truth becomes more apparent, and renders the cultivation of the soil more and more an object of public patronage. Institutions for promoting it grow up, supported by the public purse, and to what object can it be dedicated with greater propriety?"

It was in Lincoln's administration that the homestead bill became law, and the western plains were thrown open to our pioneer grandfathers. It was Abraham Lincoln who signed the act of Congress creating a Federal Department of Agriculture. Again it was Lincoln who signed the Morrill Act, granting large tracts of public lands to the States on condition that they would establish, with receipts from the sale of lands, colleges for the promotion of agriculture and the mechanic arts. Our whole system of agricultural research and education dates from Lincoln's time.

Apparently Lincoln and his contemporaries, like Washington and his, thought the Federal Government had wide and enduring responsibilities toward agriculture. By the legislation Lincoln signed, by the agricultural legislation enacted between his time and the period of the World War, a complex institution was created primarily with one purpose—to make the United States safe for an increasing population. The Homestead Acts served this purpose by enormously expanding the amount of land put under the plow; the other legislation served this purpose by helping farmers grow two blades of grass where only one grew before. Where this was not always the purpose it was at least the effect.

The full flowering of this legislation came in the World War period in the days of the Food Administration, of the Food-Production and the Food-Control Acts. The armies of our Allies needed food. To make up the European deficiency, wrote Food Administrator Herbert Hoover in 1917, "this country must export 220,000,000 bushels of wheat as against our normal export of 88,000,000 bushels. In addition, we must furnish them with 400,000,000 bushels of other cereals as against our normal pre-war export of less than 50,000,000 bushels."

The campaign to produce more wheat, and still more wheat, began with a whoop. The Extension Service put on hundreds of emergency agents. Posters, "pep" talks, prayers, and the lure of higher prices pulled the Wheat Belt out of shape. In the South, farmers were urged to grow as much as possible of their food and feed at home in order to have plenty for export. Consumers went through meatless days, wheatless days, and so on, that the export flow might keep up. The Secretary of Agriculture urged farmers to adopt measures to secure maximum returns from their farms, and the colleges and extension agents were busy suggesting what those measures should be, and how to apply them. The Department of Agriculture, in cooperation with the Food Administration, went so far as to determine the food needs at home and abroad, and suggested the needed acreage of wheat for each State.

In response to all this stimulation, not forgetting, of course, the stimulus of price, the farmers by the end of 1918 had added an area about the size of Illinois to the farm plant of the United States. Comparing 1918 with 1914, the total acreage of tilled crops was increased about 11 percent. Wheat acreage harvested reached its peak in 1919—the lofty summit of 75,000,000 acres, as compared with a pre-war average of less than 50,000,000 acres.

I suppose agriculture in those days was as much "a purely local activity" as a majority of the Supreme Court now says that it is, but that did not prevent the Federal Government from bringing a direct influence to bear on the individual farming operations of some 6,000,000 farmers. The Government did not make contracts with the farmers; it used the more potent, if less controllable, device of high-pressure propaganda. Legally there was no compulsion; actually there was the most overwhelming compulsion of all—the compulsion of a Government-directed public opinion.

In the war period the Federal Government's long-time effort to stimulate agricultural production reached its climax. From 1862 through 1920 the Federal Government conceived its responsibility toward agriculture in terms of methods to increase production. Individual farm efficiency was, of course, emphasized, as was increased production per unit in order to lower costs; but the result—a result fervently desired during the war—was a bigger output of wheat and corn, cotton and tobacco, hogs, cattle, and everything else.

In all the years during which the Federal Government has used its power to increase production, not once has that power been questioned. In the use of those powers the courts have never interfered. Not once has anyone so much as suggested that the Federal Government was violating State rights.

Since January 6 I have wondered about this a great deal. It must be that the Federal Government has the power to stimulate production but not to help farmers obtain balanced production in the general interest, and that the States reserve the power to control production but not to stimulate it. If this is so there is more in the tenth amendment to the Constitution than meets the eye. At all events, it is a disturbing fact that the States have often succeeded in stimulating agricultural production but never in controlling it.

From 1862 through 1920 the effect of the Federal Government's interpretation of its duty toward agriculture was to increase production. So long as the market for that production kept increasing at the same rate everybody was happy.

But the market didn't keep on expanding at the same rate. It contracted in 1921, had a fake expansion until 1930, and then contracted with a force that still has us in its grip. Under these circumstances, what should be the responsibility of the Federal Government toward agriculture? Should it persuade farmers to produce wheat and cotton for a foreign market which doesn't exist? Or should it fool them into producing for that nonexistent market by means of Farm Board-ish subsidies?

Before answering these questions let's look further into the record of the Federal Government's activities in relation to agriculture. To increase production, it must be acknowledged, was the effect if not always the purpose of most farm legislation between 1862 and 1920. Now it might be supposed that the end of the war would have changed the emphasis. Europe soon needed less of our raw materials. Overnight we had become a creditor nation, and a creditor nation can only maintain its export trade by a liberal tariff policy.

But between 1920 and 1933 we refused to behave like a creditor nation. We boosted tariffs higher and higher; we put an artificial and temporary prop of foreign loans under exports; we pursued an agricultural policy which had the effect of increasing agricultural production at the very time our tariff policy was restricting the market for our exports. Then came the deluge, of unpleasant memory.

It would not be fair to say that the Federal Government was the only influence stimulating production during the post-war period. The development of the tractor, the growth of industry were, of course, large factors. But the Federal Government's policies contributed heavily. I used to say that a government which fails to face the consequences of its own stimulation of agriculture is criminally negligent. I still think so.

One more factor in this post-war period should be mentioned. The disparity between agricultural and industrial prices was an outstanding fact of the depression. There is a clear connection between inflexible industrial prices and the concentration of industrial power within a relatively few corporations. Presumably we have antitrust laws in this country, but they haven't stopped the trend from little business to big business, and they haven't seriously interfered with the power of huge corporate combines to dictate the economic terms for the rest of us. Do you recall any instance between 1920 and 1932 in which the Federal Government effectively checked the power of the large corporation to maintain inflexible prices and to reduce its production whenever it found it necessary? Yet the very people who defend the right of industry to reduce production and maintain price deny agriculture the same right—even when that right was only being exercised with respect to the foreign market.

To remove the disparity between farm and industrial prices was an objective of the Agricultural Adjustment Act. When a majority of the Supreme Court held on January 6 that the act violated States' rights, a variety of opinions about a substitute for the Adjustment Act blossomed forth.

There were some who asserted that agriculture had fully recovered and could get along without the use of any governmental powers. Coming from persons who had been extremely critical of the adjustment program, this was indeed a handsome tribute. This meant that in less than 3 years agriculture's desperate economic illness had been completely cured. Farmers know, if some other people don't, that this is too rosy a picture. Farmers know that present prices of farm products are not far from parity, thanks to the healthier supply-and-demand situation which has been brought about. But farmers also know that with foreign markets still largely closed, normal yields would again bring on a condition of unbalance similar to that which resulted in the low prices of 1931 and 1932. With some commodities this might come by 1937 but with others not until 1938 or 1939, depending on the weather.

Right here I would like to puncture a misstatement which has been given currency and emphasis by some speakers and newspapers. This is the statement that the President predicted last May that if the Nation abandoned crop control, wheat would "immediately" drop to 36 cents a bushel and cotton to 5 cents a pound. If the President had actually said this, he would not have been a good prophet, because these prices have not yet fallen to any such extent. I was curious to know if the President

were really as poor a prophet as he has been made out to be, and so I looked up the record of what he had actually said. I found that what he had actually said was that if all Federal relationship to a crop, whether it was the method of crop control or some other method, were abandoned, then 36-cent wheat and 5-cent cotton would follow. But he did not use the word "immediately" in this connection at all, nor did he base his remarks solely on the possible ending of crop control. So much for that story. It only goes to show that many words written or spoken in a campaign year are to be taken with a grain of salt.

And while you have your hand in the salt barrel, take out a handful for use on some of these stories which explain that the processors are really entitled to the $300,000,000 of impounded and other outstanding taxes recently ordered released to them by the Supreme Court. Mr. George Wharton Pepper, counsel for many of the processors and chief counsel against the Government in the Hoosac Mills case, again comes to bat for his clients, as a good lawyer should. After calling upon me to retract my statements, he gratefully acknowledges that the Supreme Court rescued a number of pork packers from financial embarrassment and, in some cases, from bankruptcy. Mr. Pepper might as well know now that I have nothing to retract.

But his gratitude that his clients have been saved from bankruptcy is more significant. I don't know which packers he has in mind, but I do know that 14 meat packers, including the largest ones, have had impounded hog-processing taxes amounting to $40,000,000, or about 80 percent of all impounded hog-processing taxes. If this $40,000,000 goes back to these 14 packers, and if they are allowed to keep it, they will have a gift probably four times as great as their 1934 profits on hogs. That should prevent almost any conceivable degree of financial embarrassment.

Fortunately, many processors—probably a large majority—do not look on these impounded processing taxes as Mr. Pepper and a few of the packers do. Most of the processors know and admit—as representatives of the largest packers did in 1933—that the tax was either passed on to the consumer or back to the farmer. Consequently they now look on the impounded funds as "hot" money, and they would welcome any fair method of dealing with it. It seems to me that the sense of fair play and justice of the American people will eventually take care of this situation.

Returning, now, to the problem of finding a substitute for the Adjustment Act:

When the Nation reviewed the situation brought about by the Supreme Court decision, the consensus of opinion was that something must be done for agriculture. Also, the prevailing opinion was that there must be cash assistance to farmers.

Among those favoring direct, tangible assistance some difference of opinion has arisen as to the form it should take and what kind of plan should accompany it. Some persons argue that the Federal Government should no longer be concerned with the farmers' production, that some form of subsidy, such as the so-called domestic allotment plan, would be sufficient. Now, without going into a long discussion of the details of various proposals, I just want to bring out one fact. That is that the amount of money paid out to farmers in benefit payments under the A. A. A. can account for only part of the gain in farm income since 1932, and the smaller part at that. An improved supply-and-demand situation has accounted for most of the gain. Let us ask those who favor a subsidy alone, therefore, how much subsidy would have been needed in 1933, 1934, and 1935 to give farmers the gain in income they actually got by a combination of benefit payments and adjustment programs.

Those of us in this administration who have seen the farm cash income go up from $4,400,000,000 in 1932 to $6,900,000,000 in 1935 did not wish to leave agriculture worse than we had found it. Hence we could not favor any plan which left out of account factors of supply and demand for farm products. After we had studied the two opinions of the Supreme Court in the Hoosac case, and the limitations laid down by the majority opinion, we concluded that the best approach to the problem was through the method of Government encouragement of soil conservation by farmers. Bills embodying this approach are now being considered by both Houses of Congress.

While it remains to be seen just what form the plan will take when and if it is finally enacted, I can explain here the essentials of the plan as embodied in the bills already approved by the Senate and House Agricultural Committees. Briefly, the plan provides for grants by the Federal Government to the States, which in turn may reward farmers who follow practices of soil conservation on their farms. Since some time will necessarily elapse before a sufficient number of States can enact laws to take advantage of the Federal aid, provision is made temporarily for the grants to go from the Federal Government direct to individual farmers who have made application and who show that they have met the specified conditions.

I don't see how anyone can successfully contend that this plan would not be for the general welfare. Not only would it help protect and conserve the land that is still productive, but it would go a long way toward maintaining a healthy supply-and-demand situation in the export commodities. The plan would assist farmers in practicing the kind of "good farming" that they have long wanted to follow, but were not able because of the necessity, from month to month and year to year, of making both ends meet. Farmers, if assisted in producing the soil-building crops which are needed, will be under less pressure to produce surpluses of other crops which are not needed. If fair prices for farm products are thus achieved and maintained, the present level of farm income will be maintained and, I hope, improved.

When the Agricultural Adjustment Act was passed in 1933 it represented, perhaps, the best bill that could be devised at the time and under the circumstances. It was closely in accord with the platforms of both the great political parties of 1932. A sincere attempt was made by farm leaders and Members of Congress to formulate a measure that would be in accord with the Constitution. However, under the procedure that the lawyers and judges of the country have built up over the years it was not possible to obtain an opinion from the Court in advance. The Nation could only work and wait. After nearly 3 years of work the farmers cooperating under the act were surprised and dismayed to be told by the majority of the Court that the assistance they had been receiving from the Federal Government represented an invasion of the rights of the States and therefore was in violation of the Constitution. When the law was passed most of us thought it was constitutional. Some of us, including three justices of the Supreme Court, think so still. But, not possessing powers of prevision or clairvoyance, we could not tell in advance what the majority of the Court would say.

This new plan is a sincere attempt to operate within the limitations laid down by the majority of the Court. I myself am convinced that it is constitutional in the sense of meeting those limitations as well as in the sense of coming within the actual meaning of the Constitution itself. I believe that some form of this plan will pass Congress with bipartisan support, will be signed by the President, and will meet with the approval of a majority of the people.

One question remains: Will it meet the approval of the Supreme Court? No one can really answer that question but the Court. Precedents, so beloved of the legal mind, may give the final answer; and because there are so many precedents, and so many possibilities of choosing this precedent and ignoring that one, the final answer can never be forecast with any assurance. As students of Supreme Court decisions have pointed out, the Court now has in every case involving economic conflict two lines of precedents—one leading to one conclusion; the other to the contrary. A judge may therefore, in all sincerity, choose either line, depending upon his own economic views.

We believe the Supreme Court will approve the new legislation if it recognizes any one of the three following propositions:

1. The fact of the Nation-wide interdependence of all commerce, from the humblest farm to the largest corporation;

2. The extent to which the doctrine of State rights is being used as the final refuge for antisocial corporations; and

3. Federal responsibility for the post-war agricultural dilemma.

If it was the proper function of the Federal Government in wartime to encourage farmers to plow up land which should never have been plowed, in order to produce wheat for our Allies; if the Federal Government was justified in encouraging the mining of our soil to supply a European demand which has now disappeared, then it seems to me no less the Federal Government's proper function to encourage the return of that land to grass and trees, to make it worth the farmer's while to improve the soil's fertility by planting soil-building crops. For this generation owes a duty to generations yet unborn to hand on to them an agricultural heritage which will supply this country in the future and on which they, too, can make a living—and, let us hope, a better living than this generation has made. If in exercising our duty to the generations yet unborn we can also minister to the welfare of the people of today, it would seem that all understanding men could arrive at but one opinion. Could anything be more squarely in line with the words of the Constitution's preamble: To "promote the general welfare"?

Farmers ask no more and no less than the moral, economic, and political equivalent of the advantages enjoyed by industry through the corporate form of organization and the protective tariff. Farmers are willing to have their demands checked against any fair, living interpretation of the general welfare. They have not and will not deliberately reduce production below the needs of domestic consumers. They are prepared to do their full share toward a national economic goal of this sort: Increased, balanced production of the things we all really need and want, at prices low enough to keep the stuff moving into consumption, yet high enough to keep producers producing, and with income so distributed that none shall be denied participation in consumption except those who refuse to work, with scrupulous regard for our remaining natural resources and by means in harmony with our traditional democratic processes.

Surely this sort of goal is in the general welfare and in the spirit of the living Constitution. Farmers believe in a living Constitution, not a thing of rigid, mechanical design. Farmers believe, with Lincoln, that any interpretation of the Constitution which does not serve the people is out of harmony with the purposes of the Constitution and the founding fathers. Like Lincoln, we ask for national action wherever and whenever it is necessary to solve national problems. In the spirit of Lincoln, and against the background of the forces and events of our own day, let us here and now pledge ourselves to a new unity in the interests of the general welfare.

THE SUPREME COURT AND GOVERNMENT BY THE PEOPLE

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to include in the Appendix of the RECORD an address made by Senator WARREN R. AUSTIN, of Vermont.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, under leave to extend my remarks in the RECORD, I desire to have printed in the RECORD the following radio address on the Supreme Court and Government by the People delivered by the able senior Senator from Vermont, Hon. WARREN R. AUSTIN, on February 6, 1936, over the Yankee network.

Fellow New Englanders, the invitation of the Yankee network to speak to the people of New England, in a 15-minute broadcast, regarding issues pending in this Seventy-fourth Congress, excites consideration of the pending proposals to amend the Constitution, and resolutions or bills, all tending to alter the American form of government by curbing the Supreme Court and increasing the power of Congress and the President.

They bring to instant prominence the questions: Shall the people continue to rule? or, Shall an uncurbed Congress and Executive monopolize sovereignty?

One proposal of amendment would prohibit any court of the United States or of any State passing on the constitutionality of Federal statutes.

One proposal would prohibit any Federal court from declaring a statute unconstitutional.

One joint resolution declares that the right to hold statutes unconstitutional does not exist, and that the courts have usurped this power, forbids its further exercise, and makes the act of passing on such question automatically vacate the office of the judge.

Four bills would take away the power of inferior Federal courts to pass on the question, thus stripping the Supreme Court of the largest part of its jurisdiction, viz, on appeals.

The first amendment above mentioned would also repeal the tenth amendment, which is that part of the Bill of Rights saving to the people of the several States all sovereignty not granted to the Federal Government.

Another class of amendments proposed would curtail the powers of the Court by granting to Congress power over local affairs: production, mining, manufacturing, agriculture, labor, etc.

One of this group grants enough power to Congress to create a completely socialized State. It enables Congress to tax instrumentalities of States. But the New Deal is most conspicuously delineated in the section reading:

"The Congress shall have power to delegate its legislative power to the President and/or to such agencies as he may select."

Another group of 14 proposals of amendment and bills would curtail the Supreme Court's power by various changes—in number of members, by requiring more than a majority rule, by providing for advisory opinions, and by limitations of time for testing the question.

One amendment would curb the Court as to production and sale of farm products and give Congress power to issue money based on farm commodities. One would give Congress control over farm production. One would increase the scope of the general-welfare clause so as to curb the Court.

Jointly and severally they present the issues of home rule and free government immediately before us.

We have enjoyed home rule and government by the people nationally because of two characteristics of our Federal system, viz:

(1) Reservation to the people of the several States of all sovereignty not expressly granted by them to the Federal Government; and

(2) Division of Federal functions—executive, legislative, and judicial—into three separate departments designed to check government against overreaching the will of the people, expressed in writing.

These two fortresses of liberty have been defended by decisions of the Supreme Court declaring void statutes which conflicted with the Constitution.

The Constitution is the people's law. It was made fixed by them because they had suffered tyranny under an unfixed constitution.

It protects the citizens from their Government. It cannot be changed by their Government. It can be changed only with their consent.

Meantime there must be some place to which citizens may go for protection against alteration by usurpation. They established the Supreme Court as that place. They did this by their Constitution. The Supreme Court derives its judicial power by a direct grant from the people. It cannot be taken away save by the people. In this it is unique. It does not receive its power from Congress, as other Federal courts do. The jurisdiction of the Supreme Court is divided by the Constitution into original and appellate jurisdiction, and the latter only is subject to exceptions and regulation by Congress.

Thus the United States, until afflicted with the New Deal, avoided centralization and decentralization, tyranny and anarchy, and maintained the highest degree of relative liberty and opportunity, among all governments, by the devices of independent sovereign States and limited and balanced Federal powers expressed in the written commission of the people.

New Deal acts, such as N. R. A. and A. A. A., were void because they struck down local self-government—without which the liberty reserved by the people did not and cannot exist. When required by specific cases brought by citizens to the Court, the Supreme Court functioned, as directed by the people, and declared the N. R. A. and A. A. A. inoperative.

The Court was the people's institution specially established for this purpose.

The denial of its right and power is not new. The Court has had to withstand such attacks many times. Jefferson bitterly expressed his reaction to the decision in *Gibbons* v. *Ogden*, which mapped out the course that Congress would follow for a century in regulating interstate commerce: "That body, like gravity, ever acting with noiseless foot and unalarming advance, gaining ground step by step and holding what it gains, is engulfing insidiously the special governments into the jaws of that which feeds them." He was wrong, as proven by the decisions on N. R .A. and A. A. A., which saved those special governments.

This was the important period when the Court, under Marshall, was giving strength and vitality to nationalism. The critics then were the States' rights proponents.

Jackson was in collision with the National Bank case and Lincoln with the Dred Scott case, respectively. Lincoln's notes for debate with Douglas say. "I might as well preach Christianity to a grizzly bear as to preach Jefferson and Jackson to him." Douglas asserted: "He * * * keeps appealing each day from the Supreme Court of the United States to political meetings in the country. The Dred Scott decision was pronounced by the highest tribunal on earth. From that decision there is no appeal this side of Heaven."

Federalists condemned the Court one day and acclaimed it another. States righters complained one day and gave thanks another. New Dealers praised it for the gold-clause decision and criticized it for the N. R. A. decision.

But the Court is in possession of the right. It has exercised it for a century and a half as a logical development of the American system. Such judicial power was exercised in the several States.

The Constitutional Convention assumed it to exist. Twenty-three of the twenty-five men who dominated the Convention have been shown to recognize it. Every New England State acknowledged the right.

Connecticut adopted the Constitution on a representation by Oliver Ellsworth: "If the United States go beyond their powers, if they make a law which the Constitution does not authorize, it is void; and the judicial power, the national judges who, to secure their impartiality are to be made independent, will declare it to be void."

Massachusetts, New Hampshire, Rhode Island, and Vermont, in 1798, adopted resolutions counter to the famous Virginia and Kentucky resolutions touching the alien and sedition laws which expressly held that the authority of deciding on the constitutionality of any act or law of the Congress of the United States was vested exclusively in the judicial courts of the United States.

Though not expressly described in the Constitution, the right is clear, by necessary implication and inevitable practice. This right of the Court to declare statutes unconstitutional has been the rod by which the people have ruled their Government. The certainty of its use, notwithstanding the roaring of the transgressors, has punctuated the history of our remarkable progress, politically, socially, and economically. Its use has been the marvel and admiration of statesmen, jurists, and historians of other countries—Gladstone, Bryce, and DeToqueville, notably.

It has preserved our constitutional form of government. It has prevented a gap occurring between the limits and the powers of the several States and those of the Republic, and likewise, it has prevented the overlapping of those powers. It has made the frontiers and boundaries of jurisdiction clear.

When national sovereignty was at low ebb, the Court, under Marshall, turned the tide.

When the backwash of the War between the States threatened to engulf the South, the Court, under Salmon P. Chase, erected a dyke against the reaction.

Now, when the Federal Government attempts to destroy local self-government, the Court, under Hughes, throws up the barrier of judicial protection.

Recognizing that, by consent of the people, the form can be changed; i. e., through amendment; and assuming, but not admitting, that it can be changed without consent of the people; i. e., by statute; do we want it changed in this respect?

Do we want a parliamentary form of government?

Do we want to raise the power of statute law to the supremacy of a constitution?

Such is the tendency of the amendments, resolutions, and bills now pending.

Even the comparatively conservative amendments expressly enable Congress to legislate regarding production, manufacturing, and mining.

If the Federal Government occupies this field, local self-government will be driven out because a Federal statute and a State statute cannot occupy the same field. This field reaches the horizon of State life.

Assuming the need for bringing capitalistic civilization to a policy of social and economic justice, is the method advocated commendable, or is it too dangerous?

The Supreme Court does not determine or change policy. Its action is but a brake on speed.

Its power is simply the authority to dispose of a controversy before the Court in which one citizen who is a party to a case claims rights guaranteed to him by the Constitution. It is not the absolute negative or revision which was refused by the Constitutional Convention.

The Court applies it in the determination of the specific issue by measuring the statute with the fundamental law relied upon by the citizen.

If public opinion cherishes the centralization of power and the destruction of local self-government involved in the New Deal, the negation of the Court can be surmounted by these amendments.

The general consequence of centralization was expressed by a great New Englander, President Calvin Coolidge, in May 1926, thus:

"No method of procedure has ever been devised by which liberty could be divorced from local self-government. No plan of centralization has ever been adopted which did not result in bureaucracy, tyranny, inflexibility, reaction, and decline. * * *"

The scope and effect of the "must" legislation passed by Congress and found void by the independent, nonpolitical, unbiased, and courageous action of the Court, persuade those who are not New Dealers that we cannot afford to curb the Court and aggrandize Congress.

It is hoped that consideration of the other possibilities involved in the use of such power as the pending legislation would vest in Congress will persuade some New Dealers themselves.

An omnipotent Congress could muzzle the press and destroy free speech, enter our homes and search and seize without warrants, dragoon us with troops quartered in our houses, cut off communication between States and between persons within States, regiment every business and every farm, take over and communize the economic activity of the people, enslave us to a State religion; take away the right to trial by courts and juries, and subject us to penalties and punishments by acts of Congress, take our property without compensation, abolish process of law and create inquisitions, it could abolish States and set up soviets, and it could legislate the combination of President and Congress into permanent autocracy.

Granting that such a catalog of dire possibilities lacks the authenticity of even probability, yet we ought always to consider possible evils of a proposition to change the form of our Government. A probable evil from removing judicial power which should be a fiery cross rallying New Dealers as well as Republicans and Democrats against the propositions is the different and conflicting interpretations of the Constitution—as many as there are States—which could occur if we did not have the Supreme Court to unite us in one interpretation for all States and for all people.

In effect the proposals affirm that the States have finished their usefulness and ought to be extinguished, that the America of balanced powers has passed its zenith, and that we ought to have a President with powers comparable to those of Hitler or Mussolini, through a Congress authorized to delegate to him all legislative functions.

Is this the destiny of the America we are so proud of? No, not while Americans remain worthy of freedom. Yes, if Americans become incapable of self-discipline and self-government, not a written Constitution, not a Supreme Court, could then save this America.

The perpetuity of our free institutions will be secure so long as the people sanctify their Constitution and keep the power in their own hands to amend it. Indeed, I favor a more direct use of that power than is provided for now.

There is another group of resolutions proposing to amend the method of ratification of a constitutional amendment. All four of them would permit ratification by vote of the people in elections in three-fourths of the States. They differ from each other in the following respects:

One cuts out action by conventions and legislatures and substitutes an election to be held according to laws adopted in each State, or, in defect thereof, law enacted by Congress.

One adds to the present methods majority vote in the congressional election next held after submission or in a special election held on date and in manner designated by the President, not less than 4 nor more than 6 months after submission.

One cuts out the present methods and requires ratification by majority vote at any general election held within 7 years after submission.

One abolishes present methods and provides for ratification by a majority of electors in the next election for Federal Representatives held not less than 3 months after proposal. This amendment would also compel Congress to propose an amendment on the application of the legislatures of two-thirds of the several States, or of a majority of the electors of each thereof, voting at a regular election. This would abolish the convention for proposing amendments now available on application of the legislatures of two-thirds of the States.

Out of these latter proposals should develop a change in the fundamental law which will bring the people and the Constitution nearer together. The sanction of broad public interest, and the belief in the wisdom of what John Locke called "a standing law to live by" should give the Constitution additional vitality.

We New Englanders are bred, trained, and disciplined to preserve institutions like local self-government and balanced Federal power.

Instinctively we strengthen the citadel that guards them—the Supreme Court.

ORDER OF BUSINESS

Mr. MARTIN of Massachusetts. Mr. Speaker, I desire to submit a parliamentary inquiry as to the program for the day.

The SPEAKER. The gentleman will state it.

Mr. MARTIN of Massachusetts. Will the Speaker tell us what suspensions are in order for today?

The SPEAKER. Following the special orders, the House will proceed for some length of time—the Chair is unable to state how long—on the Consent Calendar. The Chair later on during the afternoon will recognize a motion to suspend the rules and pass House Joint Resolution 491.

Mr. MARTIN of Massachusetts. May I ask the Speaker if it would be possible to take that up first?

The SPEAKER. That would be contrary to the general custom. The House will first proceed with the consideration of bills on the Consent Calendar.

WORK-RELIEF PROJECT AT BROOKLYN NAVY YARD

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the Works Progress Administration work in the Brooklyn Navy Yard.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, since the advent of the New Deal, men without number have been taken from the breadlines and placed on work relief jobs. Periodically, however, unthinking critics of the New Deal point to occasional instances in the work-relief picture where inefficiency, poor management, and haphazard planning chance to occur, and on these few-and-far-between cases, these critics take it upon themselves to lambast the entire New Deal set-up. Such critics fall well within the adage of the Bible, that "There are none so blind as those who will not see"; for examples are numerous and plentiful where the work-relief projects are being carried on efficiently, carefully, and systematically.

Proof of this fact can be had by a survey of the $3,000,000 labor-relief works program of construction and repair under way at the Brooklyn Navy Yard. Here—all the work-relief critics to the contrary notwithstanding—efficient production is being obtained from 2,300 relief workers, through sound management, careful planning and scheduling of operations, and constant check of performance and progress. The great success of the program now being carried on in the yard—a program involving 10 projects of improvements to the shops and industrial facilities of the yard, and a considerable volume of maintenance and badly needed repairs to utilities, railroads, and streets—is attributed to the attitude of the management that here is a works program and not merely a relief program. Except for the cooperation afforded by the navy-yard officials, Navy-construction engineers, and other regular purchasing and accounting departments, the program is being conducted by civilians recruited from relief and unemployed lists. A civilian most experienced in construction is projects manager. His name is A. J. Brehm, and the greatest amount of credit for the splendid fashion in which the programs of navy-yard projects are being worked out should be given to Mr. Brehm. It affords me real pleasure to give unstinted praise to this gentleman.

The various works were planned and developed with the cooperation and general supervision of Navy officials, by a design department staffed with competent and experienced engineers from the unemployed list. Field operations are under the direction of capable construction men, many of them formerly associated with some of the country's largest contractors.

SCOPE OF PROJECT

The 10 projects, for which $3,391,000 was allotted under the Emergency Relief Appropriation Act of 1935, are given in the following list. Subsequent to the original estimates, the working hours of skilled and semiskilled labor were greatly reduced without a cut in monthly pay, thereby increasing the cost of the work. Some curtailment of the original program has been necessary to meet the increased costs.

1. Repair and improvement of steam, compressed-air, water, and street-lighting systems	$414,000
2. Repair and improvement of buildings	1,780,000
3. Improvements to power, heating, and refrigerating plants	36,000
4. Repair and improvement of water-front structures	147,000
5. Revamping inside lighting and power circuits	149,000
6. Revamping the plumbing and ventilation systems	105,000
7. Rebuilding railroad tracks and yards	160,000
8. Rebuilding streets and walks	150,000
9. Foundation exploration and subsurface surveys	25,000
10. Completion of relief-work projects already under way (interior painting of shops, renovation of rolling stock, office furniture, minor building repairs, etc.)	425,000

The major item of work in the program is the rearrangement and improvement of shops and industrial facilities to increase the efficiency of the yard as a shipbuilding plant. For example, two shop buildings are being connected by an addition and are being altered and rearranged to permit the consolidation in the resulting large building of two shops now widely separated, which can be more efficiently operated as a single unit.

In addition, a considerable volume of deferred maintenance work is being undertaken. For years naval appropriations have been inadequate to maintain the shore establishments in the condition desired by the Navy Department. At Brooklyn, as well as at many other yards, funds have been insufficient to maintain the extensive navy yard facilities in full repair. Many of the buildings are very old, and some have deteriorated in spite of all repairs that could be made with funds available to such an extent that their usefulness has been impaired. Water, steam, electric, and compressed-air distribution systems were in need of extensive repairs. Many pavements, railroad tracks, and craneways were similarly in need of complete rehabilitation to make up for deferred maintenance.

The work involves many types of construction and repair, offering a great variety of employment. Included are streets, sidewalks, sewer and building construction; repairs to steam, water, air, and power systems; repair of railroad track and a complete rebuilding of railroad rolling stock; painting and skylight repairs, building alterations, and shipway repairs. One project is for a complete subsurface survey of foundations, utilities, pipe lines, and sewers.

Classes of work include brick and stone masonry, demolition of buildings, excavation, carpentry, pipe laying, painting, bituminous pavement construction, and brick and asphalt block laying.

ORIGIN OF PROJECTS

With the advent of the current national relief-work program, the commandant of the navy yard recommended the yard projects to the Bureau of Yards and Docks for relief labor work. The Bureau in turn recommended a long list of projects to W. P. A., which finally allotted funds for the definite projects listed above.

For some time a small program of relief work—under C. W. A. and E. R. B.—had been carried on at the yard. For this work a small designing organization had been created. This group worked up preliminary plans and cost estimates for the new program upon which allocations were made and served as the nucleus of a much larger design organization set up immediately to work out detail designs.

The funds allotted to each project were split into three main items, and the specific amount allocated to each item cannot be exceeded. First of all, a sum was set aside to cover what might be termed overhead. The allocation of a certain percentage of this overhead budget to each project constituted the first item of expense. The second item includes miscellaneous tools, consumable supplies, and rental of equipment, the last being furnished for the most part from regular navy yard sources. The third item is for direct labor and materials, comprising the balance of the project allotment.

The larger projects were divided into subprojects, where division was logical according to type of work or by other classifications. The amount of money allotted for each subproject cannot be exceeded unless there has been a saving in some other subdivision of the same project. Funds are not transferable between projects.

LABOR CONDITIONS

All of the labor required is requisitioned through the United States National Reemployment Office, the class or trade of labor desired being specified in the requisition. Labor is, in general, recruited from relief rolls; but exceptions have been made in certain supervisory, technical, and skilled classifications. Using December 19 as a typical example, total employment on that date was 2,304 divided as follows: Superintendents, engineers, clerical, and so forth, 348; skilled labor, 1,045; semiskilled, 288; and unskilled, 623.

Wages are all on a monthly basis, with no deduction for lost time not the fault of the worker. Monthly earnings vary from $60.50 for skilled labor to $93.50 for the highest skilled classification. The number of hours worked per month varies with the labor classification. The supervisory, technical, and clerical force works 39 hours per week; unskilled forces work 120 hours per month; certain semiskilled trades work 80 hours per month; and all skilled trades work 60 hours per month. The reduction in hours for certain trades resulted from the recent W. P. A. capitulation demands of organized labor in New York that prevailing hourly rates be maintained on relief work.

A systematic arrangement of working hours has been worked out to meet the various labor conditions. The regular working month has been divided into 4 weeks of five 6-hour days each. When Saturdays, Sundays, and holidays are insufficient to reduce the number of working days to 20 for any one month, additional nonwork days are arbitrarily designated. Unskilled labor works every working day, or 120 hours per month. The skilled and semiskilled classes have been divided into two shifts, working alternate weeks for a total of 10 days per month. The 80-hour-per-month classes work an extra 2 hours per day, or 8 hours 10 days per month. This system has eliminated most of the confusion resulting from variable shift changes, but it has not eliminated the loss of efficiency from long lay-offs between working periods.

JOB ORGANIZATION AND COST KEEPING

At first the design department was rushed, and as fast as deailed drawings were turned out for a project or subproject, men and materials were requisitioned. Workmen were organized into gangs of about 20, each crew supplied with a foreman. Within a surprisingly short time the force has been built up to more than 2,000 workers employed on a diversity of projects.

The work was laid out to provide continuous employment for a uniform size force in August 1935 to about March 1, 1936, and from then on for an augmented force to permit completion of work by July. Projects requiring little design and those left over from earlier relief work were started first. Other projects were delayed until complete designs could be prepared, and some were purposely held up to take up the slack later on as other projects were completed.

From the start those in charge were determined to make this work as efficient as possible from the labor. Consequently shirking and loafing were not tolerated. Skilled and semiskilled workers are requisitioned for definite tasks. If the individual supplied for a job is found to be incapable of filling it, he is sent back to the employment office, for misfits are regarded as a drag on the remainder of the crew.

As far as possible a tolerant attitude on output rate is maintained toward the common labor, especially the newcomers, for the supervisors realize many of those reporting for work are inexperienced in construction. Incoming laborers are carefully assigned to jobs to which they seem best suited. An inspection of the work reveals that the huskies are found in the concrete and excavation crews or on pile-driving gangs, while the lightweights and older men are assigned to cleaning brick and to other lighter tasks. In contrast to much relief work, individual workers are placed where they produce best and are not merely put to work. The physically unfit and those showing no disposition to work are returned to the reemployment office.

Timekeeping and cost-keeping procedure is similar to that on any well-managed construction job. Each workman is given a clock set-up for every subproject. The cards are signed by the foreman, who checks the labor-cost distribu-

tion with the timekeepers. Four field checks daily are made by the timekeepers. Daily cost records for both materials and labor are compiled, showing the total cost to date and the unexpended balance for every project and subproject.

SAFETY MEASURES

Safety in construction of the projects is regarded as an important feature, especially in view of the large percentage of inexperienced workers in the unskilled class. All safety work is under the direction of an experienced safety engineer, who is given authority to enforce safe practices and methods. Scaffolds, ladders, shoring, and pit and trench sheeting must be built to required standards. Goggles must be worn by operators of concrete breakers and chipping hammers.

A weekly inspection is made of all rope, cable, slings, chains, blocks, scaffolds, and ladders in use. All workers come under the regular Government employee compensation coverage. Remarkably low accident records are being maintained, as is exemplified by the experience for the month of October, when 2,074 employees, working 191,814 hours, had only 8 lost-time accidents, resulting in a total of 47 lost days. The safety record reflects the careful attention that has been given the work by the superintendents and general foremen at all times.

DIRECTING PERSONNEL

Admiral Sterling Yates, Jr., commandant of the Brooklyn Navy Yard, is W. P. A. State administrator of naval projects, assisted by Capt. C. A. Dunn, manager of the yard. Capt. A. L. Parsons, C. E. C., public works officer of the Brooklyn yard, is project manager of navy yard projects, assisted by Commander W. M. Angas, C. E. C., relief works superintendent, and Lt. A. D. Hunter, C. E. C. Capt. J. N. Jordan, S. C., is in charge of all accounting. A. J. Brehm is works manager, in charge of all the construction and civilian personnel, and, as I have already stated, he has been doing, and is still doing, a great and splendid piece of work. These naval officials are likewise entitled to genuine praise for their work.

This is but one instance of how, through the President's work-relief program, the people of this country are being lifted out of the doldrums of the depression.

Let those who, without knowing the true facts, hasten to criticize, examine closely the state of things as they really are and remain to praise.

THE FATE OF THE AMERICAN INVESTOR IN GERMANY

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the subject of German bonds.

The SPEAKER. Is there objection?

There was no objection.

Mr. CELLER. Mr. Speaker, under leave granted to extend my remarks in the RECORD, I include a dialog between Dr. Max Winkler, professor of economics in the College of the City of New York, and myself, over radio station WOR, February 15, 1936, as follows:

Dr. WINKLER. Immediately after the war Germany was required to pay an enormous indemnity on the grounds of having been responsible for the conflict. She cunningly chose to enact such fiscal and currency measures as would enable her to secure funds for reparation payments from the very recipients thereof.

Mr. CELLER. How did she do this?

Dr. WINKLER. She started the printing presses of the Reich and turned out enormous quantities of paper which were sold wherever buyers could be found, as government, state, corporate bonds, and German currency. The Americans proved particularly easy victims.

Mr. CELLER. But banks and those engaged in the marketing of the various German securities, or shall we say insecurities, emphasized the possibilities of enormous profits in the event of a return of the mark to its pre-war value. The banks and investment houses—did they properly advise the American investing public?

Dr. WINKLER. No. The incessant output of German paper continued to affect most adversely the position of the German currency, and before very long the mark declined to an infinitesimal fraction of its original value. Whereas prior to the war one could purchase for $1 a little over 4 marks, it became possible in 1933 to purchase for $1 over 4 trillion paper marks. As soon as the cost of printing exceeded the amount which could be realized from the product of the printing presses Germany ceased these fiscal operations. It is estimated that Americans purchased various types of German paper to the extent of $2,500,000,000 of real money. It was these funds which Germany used to pay reparations, finance her foreign trade, and rehabilitate her internal economic structure.

Mr. CELLER. What about the Dawes plan?

Dr. WINKLER. Late in 1923 it was decided to effect a complete financial rehabilitation of the Reich, and the Americans were invited to participate in the scheme. A committee, headed by Gen. Charles G. Dawes, worked out a plan which would restore Germany to the position it held prior to the conflict. A loan of $200,000,000 was offered for public subscription, of which the Americans were privileged to take more than 50 percent.

Mr. CELLER. I understand that with the aid of this loan the rehabilitation of Germany commenced. Thanks to the propaganda spread on behalf of the Reich, the credit standing of our former enemy continued to improve in the eyes of the American bankers, who in turn succeeded in translating this improvement into enormous amounts of German bonds, which our public bought. Powerful sales organizations were created by the various banking institutions in the large cities and the desirability of Germany as a credit risk was constantly emphasized by the bankers. Since the yield on these bonds was somewhat higher than was obtainable on comparable securities in this market, the smaller financial institutions throughout the country proved a particularly fertile ground for the absorption of German issues. But, Dr. Winkler, what happended in 1929?

Dr. WINKLER. Well, Congressman, rumors, emanating from official or semiofficial quarters, were circulated throughout the country to the effect that Germany might be unable to meet the service on her dollar bonds. The market had already become very sensitive. Since the American investor apparently forgot his experiences in the early post-war years with German paper marks, he threw his German bonds overboard at great sacrifice. The German debtors in this way adroitly acquired large quantities of bonds, and as soon as they accumulated a substantial amount the earlier rumors about impending defaults were officially denied. The result of this denial was a fresh purchase of German issues on the part of Americans, and it appears again on careful analysis that these advances were utilized by the German Government to resell part of the bonds that it had bought earlier at very much lower figures. You'll agree that was rank business.

Mr. CELLER. Was it not also somewhat curious that Dr. Schacht, fiscal chief of Germany, attempted to allay the rumors about Germany's impending default before the Bond Club of New York at a meeting on October 9, 1930?

Dr. WINKLER. Yes, indeed. His reassurance was as follows: "I want to emphasize here in the full public that everyone who after the war has invested any money in Germany on long term or on short term, whether he has invested in industrial credits or commercial credits or in credits to the public authorities, will not be disappointed because Germany will pay those debts."

Mr. CELLER. That promise was like pie crust—easily broken. While Schacht was making that fake promise, his Machiavellian allies in deceit, Hitler, Goering, and Goebbels, were planning quite differently. Their plans were tragic to American bondholders; see what Schacht said, in an interview on August 25, 1934:

"I am now in charge of German banking, commerce, and industry, both at home and abroad * * *. Germany will not pay those coupons to America because we haven't got the money available."

Dr. WINKLER. The question is, Shall American bondholders take this licking lying down?

Mr. CELLER. Emphatically, no. Dr. Winkler, is Germany actually playing favorites?

Dr. WINKLER. Yes. Holders of German bonds in Holland, Switzerland, Sweden, and Great Britain have been receiving interest on their holdings. American investors are the only ones discriminated against. Americans bought more German bonds than other nationals. Their gullibility is now being rewarded by Germany, which withholds payments from them while making them to other nationals. What course would you suggest, Congressman, as a remedy?

Mr. CELLER. Our State Department lodged a rather eloquent protest against this discrimination, but words mean nothing to the present rulers of Germany. Persuasion by force is the only means by which payments might be secured. I do not mean physical force, of course. I mean force of an economic character, which, after all, was the method employed by European creditors of Germany, with very satisfactory results.

Dr. WINKLER. You mean economic reprisals?

Mr. CELLER. Economic reprisals is one potent suggestion. But the so-called clearing arrangements between Germany and European creditors is another potent remedy. In each case Germany had had a favorable balance of trade with the countries in question. It is thought by some that Germany could not be made to pay interest on American investments as a result of a clearing arrangement because she has an unfavorable balance of trade with this country.

Those who hold this view are, I am afraid, ignoring so-called invisible exports and imports, which doubtlessly offset Germany's so-called favorable balance.

It is for this reason that I believe that American holders of German bonds could collect what is rightfully due them if a clearing system were put into operation. This system would work about as follows:

All classes of payments that Americans are scheduled to make to or for the account of Germany, German corporations or nationals, will be turned over to the Federal Reserve Bank of New York.

Before releasing these funds, which will represent payment for German merchandise imported into the United States, interest and dividends on American securities owned by German nationals, corporations, and individuals, interest on German balances in the United States, remittances to Germany, payment for shipping, bequests, inheritances, gifts, and insurance—the Reserve bank would apply these remittances to pay:

1. American exporters for merchandise sold to Germany.
2. Interest on the Dawes and Young loans.
3. Interest on all other German dollar bonds.
4. Interest on all credits as defined under the various "standstill agreements."
5. Amortization of German dollar obligations.

Do you think, Dr. Winkler, some such plan would bring haughty Schacht to his knees begging forgiveness?

Dr. WINKLER. Such a method would force Germany to cease discriminating against American bondholders. Notes from our State Department, no matter how sharp or eloquent, produce no results. Something more forceful must be tried.

Another factor which militates against American holders of German bonds is the peculiar position occupied by our large banking institutions which are holders of so-called short-term credits and on which they have been receiving both interest and amortization, naturally at the expense of the holders of long-term bonds which were sold by those very institutions.

Mr. CELLER. You mean that these banks play a dual, inconsistent role—playing both ends against the middle?

Dr. WINKLER. Yes. It would seem that the difficulties incident on the dual position occupied by banking houses which are both holders of short-term credits and originators and distributors of long-term bonds could be eliminated only through the activities of a governmental agency provided for in title II of the Securities Act of 1933. It will be recalled that this title calls for the formation under governmental auspices of an absolutely independent instrumentality whose chief function it would be to accord genuine and disinterested protection to the countless American victims of the foreign-bond bubble.

Mr. CELLER. You know, of course, that the title II has been passed by both Houses and is still awaiting Presidential proclamation.

As a Member of Congress, I shall make it my studied purpose to induce the President to set up the machinery provided for in title II of the Securities Act and try to bring about the clearing system, and then endeavor to start an investigation so that all the facts in this miserable mess shall come to the surface. Americans should know how they have been defrauded by Germany.

LEAVE OF ABSENCE

Mr. SEGER. Mr. Speaker, my colleague, Representative POWERS, of New Jersey, desires 3 days' leave to attend the funeral services of a member of the New Jersey Legislature, Senator A. Crozer Reeves, a lifelong friend, who has just passed away.

The SPEAKER. Without objection, the leave is granted.

There was no objection.

THE POSTAL SERVICE

Mr. WITHROW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including an address by the gentleman from South Dakota [Mr. HILDEBRANDT] over the radio on February 13, 1936.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WITHROW. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address of Hon. FRED H. HILDEBRANDT, Representative from South Dakota and member of the Committee on the Post Office and Post Roads, on N. B. C. Farm and Home Hour, February 13, 1936:

Friends of the radio audience and to the home folk of South Dakota, no branch of our Government means more to the average citizen than the Post Office Department. Day after day, mail is delivered in millions of homes and the service rendered is uniformly efficient, faithful, and honest.

Messages of love, sympathy, encouragement, helpfulness, and hope are brought to our people daily by the carriers. Unfailingly and continuously this service is given.

Some 230,000 clerks, carriers, and other assistants work in one capacity or another in connection with the distribution of mail. In fair weather, in sunshine, and on cloudy days, they carry out their appointed tasks. The loyalty and reliability of postal employees is an inspiration.

The reduction of the postal work-week from 44 hours to 40 hours was a merited consideration to these earnest, hard-working men and women. Promotions have recently been made that were equally deserved. Eighteen thousand substitutes have been afforded relief. Many fair and equitable reforms have been put into effect under the able and wise administration of Postmaster General James A. Farley. Mr. Farley has established an exceptional record of integrity and capability.

Spanning of the Pacific Ocean by air mail is another notable achievement accomplished under the present administration. The first clipper ship sailed into San Francisco harbor 100 years ago. Now America and Asia are linked and 8,000 miles of ocean distance are covered in 5 days.

Contract air-mail service in Alaska has supplanted the dog-sled service of earlier times. Food and medical supplies are made available to the suffering of the far North through air mail—a service of tremendous value and human helpfulness.

From the days of the sagacious and philosophical Benjamin Franklin, our first Postmaster General, down to the present period, our Post Office Department has been a source of pride to every American, a means of conveying intelligence and knowledge, and an evidence of national progress.

Not so many years ago we were told that parcel post was impracticable, that rural free delivery was unworkable, and that it was out of the question for the Government to transport packages. Today we appreciate how absurd this contention was. The workability of these experiments has been clearly demonstrated. Their merit has been proven beyond the shadow of a doubt.

I take pleasure in paying sincere tribute to our Post Office Department and its manificent usefulness in the life of our country.

The other night I saw a fascinating film of the Postal Service in the caucus room of the old House Office Building entitled, "Here Comes the Mail." I wish every citizen might have seen it. The film was the production of a postal employee, Howard Hanson, of St. Paul, Minn., and was financed by voluntary contributions of postal workers, being shown under the auspices of the National Federation of Post Office Clerks, the Railway Mail Association, and the National Association of Letter Carriers. It consisted of "shots" of post-office clerks, railway-mail clerks, letter carriers, rural-delivery carriers, and vehicle employees actually on duty, with views of interiors of post offices and railway-mail cars. The intricate and technical operations by which the United States Postal Service collects and delivers your mail and mine were shown interestingly and accurately.

It is, indeed, a remarkable transition that the Postal Service has undergone since its establishment in this country. How surprised the old-time post rider would be if he returned today and witnessed the modern, efficient, and complicated institution of the twentieth century! How astonished would the founding fathers be to see what has evolved from the Post Office Department of Ben Franklin's time!

In the history of our country, and in the romance of inventive genius, there is no greater triumph of achievement than the perfected Postal Service.

LINCOLN DAY ADDRESS

Mr. TAYLOR of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an address delivered by me in Nashville, Tenn., on February 12 on the occasion of a banquet in commemoration of the birth of Abraham Lincoln.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. TAYLOR of Tennessee. Mr. Speaker, under leave granted me to extend my remarks in the RECORD, I include the following address delivered by me in Nashville, on February 12, on the occasion of a banquet in commemoration of the birth of Abraham Lincoln:

Mr. Chairman, fellow Tennessee Republicans, and friends, at the outset, by way of preface and preliminary, permit me to say that if anyone should find himself irked or uncomfortable during the course of my remarks this evening on the state of the Union and the delinquencies and iniquities of the present national administration, you have my permission to recline in your chair and park your brogans at any angle you may see fit.

My friends, it is indeed a privilege and an inspiration to be here tonight on another anniversary of the birth of the immortal Lincoln and to contemplate the certain political victory which lies out just immediately ahead of us.

Six times I have traveled 1,500 miles to attend one of these celebrations, and I have always felt that the expense and inconvenience thereof were amply justified and compensated, because after attending a Lincoln Day dinner I always feel like I am a better Republican and a much better citizen.

In the midst of the confusion of the hour, how we yearn for another Abraham Lincoln to give to the country a new birth of freedom—not freedom from the shackles of human slavery but freedom from a political witchcraft which, if not curbed, will inevitably destroy the principles for which our forefathers fought and for which the great emancipator died.

With the hallowed institutions of our country gravely threatened, with the sacred traditions and heritages of our fathers reduced to a shamble, with constitutional government in the greatest possible peril and jeopardy—yea, with liberty itself in a death struggle for survival, how we need another such patriot and statesman as Lincoln to lead us out of the Egyptian darkness of threatened socialism into the Canaan of Jeffersonian, Jacksonian, and Theodore Roosevelt democracy.

Oh, my friends, how hath the erstwhile great Democratic Party fallen. I refer to the Democratic Party of the illustrious Jefferson, the intrepid Jackson, and the courageous Grover Cleveland.

Everything for which this illustrious trio stood has been grossly repudiated by the administration in power at Washington masquerading as it does under the false colors of democracy.

States' rights, so dear to the hearts of the old-time Democrats, has been thrown into the scrap heap, and centralized government of the most vulgar and outlandish type has been substituted.

In the presence of what is transpiring in this country today, how ironical the words of Grover Cleveland when he thundered: "The Government is not supposed to support the people, but the people are supposed to support the Government."

But, my friends, I exonerate the Democratic Party as such of what is going on in Washington today. The administration at Washington is not Democratic—it is the rankest sort of socialism tinctured with communism.

Mr. Chairman, I charge that the present administration in Washington is guilty of a degree of embezzlement of public confidence never before witnessed in the history of this country. If ever a President treated with a disregard, which amounts to sheer contempt, the platform and campaign pledges upon which he was elected to office, he is the present occupant of the White House.

So eager was he to accept the Democratic nomination in 1932 that he flew to Chicago, and declaring that a platform was a "solemn and sacred covenant with the people", he subscribed to it in its entirety—100 percent. That platform declared for the preservation of a sound money policy, and within 60 days from his induction into office he deliberately devalued the dollar 41 percent and in the operation, without due process of law and in bold violation of the Constitution, he appropriated two billion eight hundred million of the people's money.

The Democratic platform adopted at Chicago in 1932 declared for economy in government, pledged the party to the elimination of bureaus and commissions, and in the most explicit and specific terms committed it to a 25-percent reduction in governmental expenses. The nominee of the Democratic Party not only subscribed to this pronouncement of the platform, but during his campaign on various occasions solemnly asseverated his determination to strictly observe and discharge this commission. What does the record show? During the 3 years of his administration he has created more than 100 bureaus and commissions, to obtain titles for which he has exhausted the English alphabet, adding to the Government pay roll more than 300,000 employees. In March 1933 Secretary Wallace began his administration of the Department of Agriculture with an organization of 26,132 employees. Up to the day that the Supreme Court laid to rest the A. A. A., Wallace has increased this number to 66,969 full-time employees. The Civil Service Commission estimates the average salary of these Government employees at $150 per month. This means that the New Deal pays out of the taxpayers' money to this one group an annual salary of $120,824,916. In addition to this army of full-time employees, Mr. Wallace has organized a field force of part-time employees of 115,366, drawing, according to the August report of the Civil Service Commission, an average of $28.32 per person per month. This makes a grand total in one department alone of 182,355 employees, or 40,000 more than the standing Army of the United States!

During his campaign the present occupant of the White House, in conformity with the Democratic platform, promised to balance the Budget, yet today the Federal Budget is two billions out of balance, and during 3 years of Franklin Delano Roosevelt our public debt has increased to approximately $33,000,000,000. The interest on our public debt today is one and one-half times what the total national debt was in 1913 when Woodrow Wilson became President of the United States.

I wish I had time to elaborate further on this subject, but I must hasten on.

During the past 3 years, under the "beneficent" auspices of the New Deal, there has been recruited in Washington the most gigantic aggregation of magicians that has ever been assembled under one "big top" since the morning stars first sang at creation's dawn. P. T. Barnum, that great wizard of the circus, in his palmiest days could not have boasted of such a collection of freaks and fakers. During this period dreamers, clairvoyants, crystal gazers, jugglers, and ledgerdemain performers of every conceivable variety gathered at the Nation's Capitol and proceeded to diagnose the Nation's ills and undertook to prescribe the necessary panaceas. Barnum, the great premier of the circus, once said: "A sucker is born every minute", but Drs. Rexford Tugwell, Felix Frankfurter, and Mordecai Ezekiel have declared that all Americans are suckers, and that all that is necessary to lead them up a "blind alley" and into the realm of make-believe is to give them a shot in the arm from the New Deal hop bottle, and personal initiative and personal responsibility instantly become passé.

These happy-go-lucky playboys and boondogglers in Washington have been willing to try any quack theory that might occur or be suggested to them regardless of its impracticality or absurdity.

They remind me of an incident that happened at Memphis during the American Legion convention there last year. One of the boys decided to "throw" a party, and he invited a number of his friends. Just before the event began one of his friends came to him and said, "Joe, Bill Jones can't attend your party tonight." "What's the matter with Bill," inquired Joe. "Well, Bill's got a case of laryngitis," his friend replied. "Well, that's all right; tell Bill to bring it along. These 'birds' will drink anything."

So these New Dealers, in typical bacchanalian fashion, cry, "On with the dance! Bring forth your patent-medicine schemes and wild-eyed nostrums imported from Russia. The American people are so dumb or indifferent that they will stand for anything."

To promote the "more abundant life" these eminent New Deal magicians prescribed the reduction of crops, the destruction of food products, and the birth control of pigs and calves. They prescribed the lowering of our tariff walls and the negotiation of reciprocal treaties. And behold, as a result of these nostrums alone, we have not only lost our foreign markets, but we have seen the cost of living skyrocketed from 50 to 100 percent. As a direct result of these two prescriptions, in the 11 months ending November 30, 1935, our imports of agricultural products increased $338,000,000 over the same period of the previous year. During the year 1929 we imported into the United States only 399,138 bushels of corn, whereas during the year 1935 we imported 43,242,296 bushels of corn. During the year 1934 we imported 13,771,622 bushels of wheat, whereas during 1935 we imported 38,871,598 bushels of wheat. Our importation of other agricultural commodities has been in direct proportion. And yet oblivious or in defiance of our vanishing foreign market, with importations of farm commodities increasing to staggering proportions, we went merrily along slaughtering pigs, destroying food products, reducing to ashes hay and grain while millions of our citizens suffer for want of food, clothing, and shelter.

In the face of this amazingly paradoxical situation, is it any wonder that we have a farm problem in the United States today?

As a crowning act of stupidity a supine and complacent Congress, at the behest of the "brain trusters", passed the celebrated potato control bill, better known as the "spud bill." Under the terms of this asinine legislation our time-honored friend, the lowly spud, took on a very dignified and aristocratic mien and importance. For commercial use each individual spud, under Government inspection, would have had to be wrapped in cellophane, stamped like a package of cigarettes, and meticulously crated according to specifications handed down by the bureaucrats in Washington. Any violation of bureaucratic regulation subjects the offender to a fine of $1,000 and 12 months of penal servitude, in the discretion of the Federal court. At a meeting of the bureaucratic Sanhedrin in the Agricultural Department in Washington a few days ago to consider control of potato production in the United States, Tennessee was "generously" given a quota of 500,000 bushels, notwithstanding the fact that Tennessee last year produced over 4,000,000 bushels of this staple commodity—eight times, if you please, the quota allowed her.

But, alas, my friends, the potato turned out to be entirely "too hot" for the administration, and the law to regulate its production and distribution is now no more. Under the withering ridicule and indignation of an outraged people, and especially under the threat of vengeance of the Supreme Court, at the earnest behest of the White House, a pliant and submissive Congress a few days ago ruthlessly cut down this youthful and promising New Deal agency along with its triple sisters, the cotton and tobacco enactments, and they now lie alongside the Three A's and the Blue Eagle on the pitiless "cooling board", and "none are so poor as will do them reverence." I noticed in the press since coming to Nashville, however, that on day before yesterday, after administering extreme unction, the President performed the last sad rites over the melancholy remains of these ill-starred triplets. May they rest in peace.

A deliberate and damnable attempt was made by the "brain trusters" to blueprint and straitjacket the American people in a program of rigid regimentation, and it might have succeeded but for the timely interference of the Supreme Court of the United States. Thank God for this great tribunal, which has earned deservedly the respect and gratitude of every American citizen. I reverently toast the Supreme Court—the bulwark and palladium of American liberty.

For daring to uphold the integrity of the Constitution, as was to be expected, the Supreme Court was denounced and satirized in the most scathing fashion by the "brain trusters" and their satellites. Even the Chief Executive, in commenting on the famous "sick-chicken case", declared that the decision of the highest court in the land harked back to the "horse and buggy" days. Well, my friends, there is one thing certain, and that is that we must get back to "horse and buggy" economy and "horse and buggy" honesty in this country if we ever hope to get out of this terrible dilemma. There is one thing that can be said of the "horse and buggy" days, and that is, the buggy was paid for, the horse had horse sense, and the driver knew where he was going and knew where he had been when he got back; and you can't say this for the New Deal.

While my faith in the sincerity of the Chief Executive had hitherto been more or less shaken, I did not lose full confidence, however, until he wrote a letter to Representative HILL, of the Ways and Means Committee of the House, urging the passage of certain legislation "notwithstanding its doubtful constitutionality." Think of a President of the United States sending such a message as this after taking the oath to support, uphold, and defend the Constitution of his country.

My friends in Tennessee, as in every State in the Union, there are literally thousands of people who heretofore have not affiliated with the Republican Party, who are absolutely surfeited—completely "fed up"—on this so-called New Deal heresy. They yearn to see a return to sanity in Government—a rebaptism of old-fashioned Americanism in the United States. The party of Lincoln invites everybody of whatever past political creed to join us in our battle for the restoration of constitutional government. In this patriotic objective I beseech Republicans of Tennessee to let factionalism be adjourned. Twice during the past 16 years Tennessee has cast her electoral vote for the Republican national

ticket. She will do it again if Republicans abstain from factional controversy and put their shoulders to the wheel.

And now, my friends, I approach the most pleasant part of my assignment tonight, and that is to introduce the real speaker of the evening.

We have had several distinguished men on our program on similar occasions in the past, but tonight we are particularly fortunate in our guest of honor. He is not only a figure of national importance, but his influence and activities have reverberated abroad. While still a young man he has had a most interesting, brilliant, and colorful career. Captain of the Harvard football team, as a tackle he distinguished himself to such a degree that he was rated by Walter Camp as all-American.

When the United States entered the World War he volunteered and was made a captain, and during that struggle was twice decorated for gallantry in action. He has the unique distinction of being the representative in Congress of the present occupant of the White House, but this fact has in no sense assuaged his opposition to the fallacies of the New Deal. No man in Congress has been more aggressive or more merciless in his opposition to the shams and sophistries of the present administration than our guest of honor tonight. He is an inveterate foe of communism and a few years ago headed a special congressional committee which revealed startling information of red activities in the United States. He has been prominently mentioned as the next standard-bearer of the Republican party for President, and I say with pleasure and without hesitation that the Republican Party could go further and do much worse.

Mr. Chairman, it is a great pleasure and a signal honor for me to present to you now an outstanding American and a Republican of the Lincoln type, my personal friend and colleague, Hon. HAMILTON FISH, of New York.

OLD-AGE PENSIONS

Mr. O'CONNOR, chairman of the Committee on Rules, by direction of that committee, presented a report (No. 2005) on House Resolution 418, which was referred to the House Calendar and ordered printed.

THE BEAUTIFUL OHIO RIVER

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein excerpts from figures, facts, and statements made by Colonel Hall.

The SPEAKER. Is there objection?

There was no objection.

Mr. JENKINS of Ohio. Mr. Speaker, ladies and gentlemen of the House, the Ohio River is the most beautiful river in the world. My district runs about 175 miles along the north bank of this beautiful river. The United States Government has spent many millions in the construction of dams and other aids to navigation. By reason of these improvements and the natural flow of the river, the Ohio River can carry more traffic than any other river in the world. The United States Army Engineers have supervised much of these improvements in the Ohio. This branch of the Army is proud of its achievements in the Ohio, and those who use the river extensively are also proud of the work the Government has done on the great waterway.

Col. C. L. Hall, of the United States Army Engineers, is the Chief Engineer of the Cincinnati Division. He has made a thorough study of the Ohio River and its improvements and has incorporated the result of these studies into an address which he delivered before the Ohio River Improvement Association at its recent meeting. This address is full of valuable information, and I am incorporating it into my speech. His address is as follows:

I am very much obliged to the Ohio Valley Improvement Association for the privilege granted me of making an address on a subject which, of course, is of as much interest to me as it is to you. I trust that you will pardon me for prefacing my remarks by a few words on rivers in general.

The dream river of the engineers is not the dream river of artists. Our dream river is one flowing unobstructed, with a uniform flow and a uniform slope, with a temperature approximately constant, in an atmosphere always fair. In the nature of things this kind of river does not exist. If Lake Superior were situated at the headwaters of the Chattahoochee, that river might possibly qualify for the position. Certainly, as all of us with any experience in navigation know, the Ohio River is not an image of this dream.

In its natural state, the Ohio River and its tributaries were the most beautiful streams which the French invaders had seen in America. But the river was obstructed. Its flow was far from uniform, having, indeed, a greater variation than that of any other river of its size in the Temperate Zone; its slope was not uniform; it was subject to ice hazard in cold weather; and it was liable to fog. But with all its disadvantages it formed a major channel of communication between the Appalachian Mountains and the Mississippi River, and thus it was the principal line between the western slopes of those mountains and tidewater. The people of the West—as soon as there were any people—decided that the way to overcome the natural handicaps of the Ohio River was to apply engineering to the problem. By this means the consequences of obstruction, variable flow, variable slope, variable temperature, and variable weather could be neutralized to a sufficient extent to enable the Ohio River to perform its functions as an artery of commerce. One hundred and ten years ago work was started on a very modest scale by removing obstructions—snags—in the lower Ohio River. It is a satisfaction to me to think that that very first work was undertaken by one of my predecessors stationed in Cincinnati.

But it is not this anniversary that we celebrate tonight. Fifty years ago the first navigable dam on the Ohio raised its wickets against the river and gave Pittsburgh Harbor its first deep-water pool. The half century that has passed has witnessed the so-called completion of the Ohio River project, a project of complete canalization of the river, a project of 9-foot water the year around from Pittsburgh to the Mississippi. This project was not completed without much travail and labor. There was the active opposition of vested interests to overcome. There was the inertia of the people, the conflicting interests of political groups. For decades after the completion of this first dam at Davis Island little was done. Then gradually, as the people of the Ohio Valley saw a vastly expanding railroad system render their unimproved river obsolete, and saw their great commerce threatened, they awoke to their danger. Under the splendid leadership of your organization, they were instrumental in the adoption by the Government of an Ohio River project which, when completed in 1929, connected the river at low stages with a series of 50 navigable pools.

Do not misunderstand when I speak of the completion of the Ohio River project. A project of this kind can no more be completed than can the national life of the country. It must keep abreast of the increasing demands made upon it. We must hold what we have gained; we must keep our project in a state of usefulness; and we must look ahead to anticipate the demands of tomorrow.

It appears fitting at this time to pause and review what has gone before, to take stock of our present situation, and to cast our eyes to the future. It was as long ago as 1793 that a seagoing schooner launched at Elizabeth, Pa., rode the spring freshets down the Ohio to the Mississippi and thence to the Gulf and the Atlantic. This feat, accomplished at a time when the flatboat ruled the Ohio, awoke the people of the Valley to the possibility of shipbuilding. Shipyards sprung up like mushrooms, and each spring saw more and more deep-sea tonnage depart for the seven seas. Spain, who then controlled New Orleans, undertook in 1798 to close the lower Mississippi to our commerce. They reckoned without the rivermen of the Ohio, who promptly threatened war against Spain. Congress—in those days always burdened by a chip on its shoulder—at once ordered the construction of two armed seagoing vessels at Pittsburgh—the *President Adams* and the *Senator Ross*—an addition to our infant Navy which convinced the Spaniards of the error of their ways.

These deep-water ships, carrying valuable cargoes to New Orleans and thence scattering over the oceans wherever trade beckoned, had trouble peculiar to themselves. There were the falls of the Ohio to hurdle. There were the notorious pirates, who, sallying out of their rendezvous at Cave-in-Rock, Ill., would murder the crew and confiscate the cargo of any boat luckless enough to ground nearby. And there were also troubles with foreign customs, who were certain there were no seaports in the western forest of the United States, and regarded with suspicion ships clearing from such hitherto unheard-of seaports as Marietta, Ohio.

It is not surprising, then, that as soon as Henry Shreve built steamboats to sail on the water, as distinguished from Fulton's boats which were very much in the water, the Ohio shipyards divorced themselves from the fickle ocean and settled down to the profitable business of turning the Ohio into the country's greatest artery of commerce. There is no need to remind you gentlemen of the glorious heyday of steamboats which preceded and—after a brief relapse—followed the Civil War. No vessel on the seven seas could then show such luxuriousness as could steamboats like the *Grand Republic*—the *Normandie* of her day. Few rivers the world over could show such a steady stream of freight borne on their waters. But since this heyday lapsed into a temporary twilight, and since these magnificent vessels vanished in large part from the river, it seems prudent for us to review the reasons for the eclipse so that we may guard ourselves against such danger in the future.

There were three principal causes for the decline—lack of terminal facilities, the encroachment of the railroads, and the hazards of low-water navigation, that is, the consequences of variable flow. In the final analysis these mean merely that the railroads could haul freight more rapidly than the steamboats. A rail shipper could depend on his timetable. A shipper by boat was at the mercy of terminal facilities—or more often lack of facilities—and of the vagaries of low-water depth. About this time also there occurred a series of years of very dry weather, similar to the past few years on the Ohio. With no dams to conserve the low-water flow, the river became a series of pools blocked by sand bars, and navigation ceased for months at a time. Thus nature played into the hands of the railroads, and a much harassed river commerce all but gave up the ghost.

It was at this juncture that the Government, spurred on by the river interests of the Ohio, first acted on the idea of canalization. The idea was fought bitterly by a school of thought which favored reservoir construction to supplement low-water depths. They thought it better to equalize the flow than to overcome the con-

sequences of low flow by engineering devices in the stream. The issue was fought up and down the river and on the floor of Congress. Strange though it seems, Pittsburgh itself was opposed to canalization. When the first dam was proposed at Davis Island, the coal interest fought it; and the Pittsburgh Representative in Congress called the proposed movable dam, with a pardonable play on words, "a most damnable move, most certainly movable by the floods of the Ohio."

But the dam was built, the Pittsburgh interests were mollified when they discovered that the wickets did in fact permit open-stream navigation, and the succeeding decades saw additional dams go up. But the process was slow. A few scattered dams on the Ohio were of little use to a tow which found itself stranded on one of the many bars between dams. Some great driving force was necessary if the complete canalization of the river was to be completed before the dying river commerce was laid away to rest. And this driving force was furnished by you gentlemen of the Ohio Valley Improvement Association. Organized in 1895, the association was instrumental, in 1910, in the passage of a bill providing for the complete canalization of the river. But authority is one thing and appropriation, as the association learned, is another. The work lagged for lack of funds. Again the association went to bat, and in 1922 the waterways group in Congress succeeded in eliminating the "pork barrel" paralysis by having the War Department allot river and harbor funds according to merit, and the canalization of the Ohio went forward in earnest.

That, gentlemen, gives you a very brief review of the river to date. We stand today with one major objective behind us. Ahead of us are further objectives. But in the meanwhile there is much to be done in improving our present system. The last dam of the Ohio River had not been completed before studies were begun to standardize and modernize all auxiliary aids to the basic navigation system.

As a result of these studies many improvements have been made which have contributed greatly to the free and easy navigation of the Ohio River and its principal tributaries. Standard electric signal lights have been established at all Ohio River locks to replace various obsolete types. All critical bars and dredged cuts are now marked with buoys, most of which are of the permanent type. At the most critical places buoys are equipped with automatic electric flashing beacons, which reduces the hazard of night navigation to a minimum. Recognizing the annoyances and dangers of draws through beartraps, signal boards and lights have been installed at all Ohio River movable dams. Navigation routine has been standardized from Pittsburgh to the Mississippi, thereby eliminating many headaches among masters and pilots.

These, of course, are mere details, but details which render much aid and comfort to navigation. There are other and more major problems which require solutions. The Ohio River is restless within its dams. Each cycle of high and low water brings with it sand bars and reefs, and it is just as important today as it was 50 years ago to direct the regimen of the river so as to use its mighty force of erosion to keep the channel clear. Toward this end extensive model studies have been made in our hydraulic laboratory at Vicksburg, and from the lessons learned in this miniature river, modified in the light of experience, we are discovering the most practical methods of controlling the river. Under the most favorable conditions, however, there is still a great amount of dredging to be done, and with this dredging come problems of disposal of spoil. Great care is exercised in the planning of proposed dredge cuts and of the disposition of dredged material to make the cuts as permanent as possible. Thus we try to offer the best obtainable condition for navigation.

Going back to the characteristics of my dream river, we can see that the work already accomplished on the Ohio overcomes the consequences of variable flow at low water, of variable slope at low water, and of obstructions. A good place has been reached in which to take stock of our achievements, and to value our assets in terms of similar improvements accomplished elsewhere. The Ohio River System, as it is right now, may properly be compared with the most successful systems in use at the present time in other rivers of the world. It has been my privilege to attend a recent International Congress of Navigation at Brussels. I there submitted a paper on the Ohio River, which had evidently been read by a number of the delegates before the meeting. It was interesting to see that the scale of the work accomplished in our country was so much greater than the scale of any similar work accomplished abroad that comparison between foreign and American work was difficult. The improved European river, except the Russian rivers, whose length and drainage area can best be compared with the Ohio—is the Danube, the beautiful blue Danube, which is neither beautiful nor blue. No attempt has been made to canalize the Danube River, and it flows through nations so jealous of each other that even free and unobstructed telephone conversation between river officials is not to be thought of. My statement that the lockmaster at lock 53 could get information by telephone from the lockmaster at Dashields if he needed it, without going through any higher official, almost paralyzed foreign engineers when they discovered that it is about as far between the two points as it is from Vienna to Bucharest. On a river of the same size, our improvement is thus more intensive.

On the Seine River there is an excellent system of movable dams which has some similarity to that on the Ohio, though the locks are much smaller and the width of the navigable passes very much less. The French have developed at one point on the Seine River a very interesting overhead bridge with a traveling crane, whereby their dams can be raised and lowered by one man, without a maneuver boat. The device was suggested by a European for American action. I asked my French colleague how it would work on a river demanding a 600-foot navigable pass, with a 72-foot difference in elevation between high and low water, and needing a 45-foot clearance for steamboats on top of that. After these dimensions were translated into meters, the subject was dropped. We might say that among rivers improved with the same intensity, the American rivers are much the longest and the most difficult.

As was said at the beginning of these remarks, no one should think that Ohio River improvement work is finished. Engineering works are all subject to decay, and all of them except tombstones are subject to obsolescence. With modern methods of construction, the engineer as a builder has gotten ahead of the engineer as a prophet. As a result, obsolescence is becoming more important as a reason for replacement than is decay. We sometimes think that no structure should be built to last more than 50 years, on the theory—correct 99 times out of 100—that in 50 years it will be better to build something modern than to try to get along with something which has served its time. Almost anyone whose office has been in an old Federal building will cordially endorse this dictum.

In planning new structures on the Ohio River, required for replacement purposes, the Department has recently tended to prefer one new high navigation dam to several rebuilt movable navigable dams covering the same section of river. There are several projects now under way which illustrate this tendency.

Since the completion of the 1910 project, three major works on the Ohio have been undertaken to carry us further toward the goal of an Ohio still better fitted for larger tows. First of these projects below Pittsburgh is Emsworth Dam, where the present structure is being elevated 7 feet. This will give Pittsburgh a pool of 16 feet at the point. A contract covering the first stages of construction on this project was let this past summer and work has already begun.

Next below Emsworth is the new Montgomery Dam at Montgomery Island, 18 miles below Dashields Dam. This is a high dam of the vertical lift type. In the near future will give a pool of 9 feet up to Dashields Dam, drowning out dams nos. 4, 5, and 6.

The third project on the Ohio is the Gallipolis Dam, 10 miles below Gallipolis, Ohio. The double locks of this dam are nearly completed, the machinery is being installed, and progress on the dam itself is well under way. This dam is of the roller type, developed in Germany and possessing certain advantages over other types. The rollers are readily and quickly lifted to control the flow of the river beneath them, and in times of floods the rollers are raised clear above flood stages, providing unobstructed passage for flood waters. Not the least of their advantages is their immunity to ice. The inability to handle present movable dams when the river is frozen over has in the past been the cause of some grief, especially with loss of pool. This trouble, at least at Gallipolis, will be a thing of the past. The rollers of this dam are the largest in the United States, perhaps the largest in the world. They are 29 feet in diameter and 125 feet long. When completed, Gallipolis Dam will provide a pool of 9 feet up to dam no. 23, replacing dams nos. 24, 25, and 26 on the Ohio, and nos. 9, 10, and 11 on the Kanawha.

This will give you an idea of what we are doing now to improve navigation on the Ohio. But we have not neglected the tributaries. The Allegheny is being improved with contracts let this past summer. The Kanawha, especially, has been the fair-haired child of the Government. Two roller-type dams at London and Marmet, above Charleston, have been completed. They provide a pool depth of 9 feet as far upstream as 32 miles above Charleston, besides eliminating four old-type dams. The locks for the large dam at Winfield have been completed and work on the dam itself is under way. On the Green and Barren Rivers in Kentucky two of the old-type locks and dams have been replaced with a new and larger type, and on the Cumberland River the existing dams A to F are being raised by a 3-foot crest. All the new structures are larger than any navigation structures now being built in foreign countries, except a few in Russia.

It is important for us to bear in mind that many of these extensive improvements are not the results of a normal process of government. They are dependent, rather, upon a state of economic emergency, in which the Government was forced to spend huge sums of money on public works. Unless we keep this in mind, we are apt to be lulled into inactivity by a false sense of security. When this state of emergency is over—and signs point to its approaching end—we shall find it more necessary than ever to exert every effort to the end that the Ohio River may keep abreast of the growing demands of commerce.

The recent construction of the Montgomery and Gallipolis dams has caused the engineer division to draw up a scheme so that similar replacements undertaken in the future, whether primarily for relief purposes or pursuant to definite requirements of decay and obsolescence, will fit in with an approved and considered general plan. He has accordingly appointed a board, of which I am senior member, which is now engaged in laying out a tentative project for work above Louisville, so that future dams will be built in the best place and in a manner to afford the maximum economies of operation. This work is proving highly interesting, and I am sure that when it is completed it will be satisfactory to the navigation interests whom it is the privilege of the Corps of Engineers to serve.

From the description which has been given, you can see that of the various items which distinguish the Ohio River from the ideal river, the Government has almost eliminated the consequences of obstructions, of differences of flow so far as low water is concerned,

and of differences in slope. Differences in temperature are serious only when the river freezes. In the nature of things, we cannot destroy this hazard entirely, but we have done a great deal to modify its evil effects. The days when the engineer offices were able to quit work and twiddle their thumbs at Christmas time are long since over. Every effort is made to keep down the effects of ice. Of recent years the combined effect of hard work by the lock crew, centralization of authority, and the natural breaking up of ice caused by continuous traffic has kept the river open during all but the coldest weather. As I have already indicated, the new high dams will lend themselves to manipulation by positive control in such a way that ice in moderately cold weather will never delay traffic more than a few hours. More than this cannot be promised.

There is another hazard which I mentioned at the beginning of my paper; namely, the weather on the Ohio is not uniformly calm and clear. Fog and wind will always remain with us, but the river is fortunate in that the effects of these two difficulties have always been of short duration.

There remains one more consequence of the physical characteristics of the river to be discussed. Variable flow means not only water which is sometimes inconveniently low, but also water which is sometimes inconveniently high. The adverse effects of high water can be reduced by a sound system of flood control. This is a subject which has been brought to all of our minds by the August floods on the Muskingum, described to you by another speaker. Flood control is necessarily an expensive proposition, and only a most light-headed optimist would dare hope that the Ohio Valley would get a couple of hundred million dollars in a lump sum to carry a project through to completion. However, miracles do happen, and the present-day tendency to construct public works has resulted in a substantial step being taken toward the goal of flood control on the Ohio. Let me give you a general picture of the War Department flood-control scheme, together with such steps as are being taken at present to realize the complete project.

The flood-control project for the Ohio River above Cincinnati originally involved a system of some 39 reservoirs, with a capacity for flood-control use of about 7,000,000 acre-feet. This system would control a drainage area of more than 31,000 square miles, or about 40 percent of the drainage area above Cincinnati. If we translate these figures into something which the man with a flooded cornfield can understand, we find that the heights of floods in the Ohio River above Cincinnati will be reduced from 7 to 10 feet. Since it is the top few feet of a flood which cause the major portion of the damages, the importance of the reduction can be appreciated. The record flood on the Ohio River has produced stages varying from 8 to 23 feet above flood stage at the larger cities. It is thus seen that the large flood-control project developed by this department would not eliminate all floods, but it would eliminate about two-thirds of the flood damage to the Ohio Valley.

The complete project involves reservoirs on all the important tributaries above Cincinnati, such as the Allegheny, the Monongahela (including the Tygart), Beaver River, the Kanawha and Little Kanawha, the Muskingum River, the Scioto, and the Licking. Since this project was evolved, however, the Muskingum Conservancy Association has had approved, and the War Department is executing, a flood-control project for the Muskingum Valley described by another speaker.

The largest single dam now under construction in this valley is the great Tygart Dam, near Grafton, W. Va. This dam will be the largest structure of its type east of the Mississippi. Constructed of great concrete monoliths, it will rise 250 feet above the bed of the stream, and will impound water for both flood control and low-water supply. Its capacity of nearly 300,000 acre-feet will be available for flood control, and during the summer and fall a portion of this capacity will be used to increase the lower water supply of the Monongahela River. The beginning of each calendar year will see it nearly empty, prepared to impound the spring run-offs. The beginning of each summer will see it partly full, prepared to supplement the usual low-water flow of the Monogahela in the summer and fall. This huge dam is now well under way. Together with the cost of the land which will be inundated it will cost about $16,000,000.

Admitting that the Tygart and the Muskingum Reservoirs will have beneficial results in their own valleys, let us see what effect they will have on the Ohio River as a whole. Together they drain about 9,000 square miles, or about 12 percent of the drainage area of the Ohio River above Cincinnati. They control less than one-third of the area included in the Ohio flood-control project, and provide about one-fifth the storage capacity of that plan. The Tygart Reservoir should reduce floods at Pittsburgh by about 1 foot—a very important foot. The Muskingum system will reduce Ohio River floods immediately below the mouth of the Muskingum by about 5 feet, under favorable conditions. This effect will naturally diminish in a downstream direction, and at Cincinnati reductions of from 1 to 2 feet may be expected, depending upon the distribution of rainfall.

So you will see that the reductions produced by the reservoirs now being built will be relatively small, and the important effects will be confined to regions just below the reservoir. Widespread benefits cannot be expected, although some measurable reductions will be felt throughout the Ohio Valley above Cincinnati. The important thing, however, is that a real and substantial start has been made toward controlling the floods of the Ohio River. These dams are not built for a day. They will be here in the future when other funds become available, and there is no reason to doubt that flood control on the Ohio, in some form, will some day become a reality. With the completion of the flood-control project—if it is ever completed—the improvement of the Ohio River will reach another point, not of completion, of course—for it will never be completed—but of pause. But even now we feel that in our service to navigation we have performed an engineering feat not paralleled elsewhere in the world. During the calendar year 1933, a channel of project depth, sufficiently wide for a standard tow, was available for vessels throughout the entire length of the Ohio River on 362 different days. The greatest delay to any vessel, at any place in the river, for any cause except errors in its own handling, fear of danger of extreme high-water navigation, or danger from ice, was 72 hours. Considering that before the improvement, the depth was only 1 foot, and that the normal duration of the low-water season was about 100 days, and allowing also for the difficulties naturally created by a ratio of high to low flow of 451 to 1, it would be hard to find an example of a more successful adaptation of the natural regimen of a river to the needs of man.

Mr. BANKHEAD. Mr. Speaker, I call for the regular order.

THE SUPREME COURT

The SPEAKER. Under the order of the House, the Chair recognizes the gentleman from Georgia [Mr. Cox] for 30 minutes.

Mr. COX. Mr. Speaker, the action of the Supreme Court in overthrowing, first, the National Industrial Recovery Act, and then the Agricultural Adjustment Act, has brought down upon the Court criticism which seems unduly severe and largely uninformed.

Complaint is not so much against the soundness of the rulings made as it is against the Court for having exercised the power to declare acts of Congress in violation of the Constitution. For this the Court is charged with the usurpation of power, of having set itself up as a kind of judicial oligarchy, and members of the Court are referred to as "gentlemen of the purple cloth."

Many bills have been introduced in both House and Senate dealing with the Federal judiciary. Some seek to limit the powers of the Court by legislation—which, of course, would be ineffectual except as to inferior Federal courts—while others propose the submission of amendments to the Constitution.

There is no intention of discussing the merits of these various proposals, or the decisions of the Court in the cases to which reference has been made. My purpose is to defend the Court against the charge of usurpation and abuse of power and to support as best I can the wisdom of the rule of judicial determination of the constitutionality of acts of Congress.

We must not lose sight of the fact that ours is a dual form of Government, that it is 48 sovereign States that form the Federal Union which is a Government of delegated powers. Bearing this in mind it should not be difficult to understand why the English system cannot be used to support the proposition that the framers of the Constitution did not intend to exempt acts of Congress from the constitutional test to be applied by the courts.

The principle of the division of the powers of Government into three parts first grew up in this country in the confederated States. It was out of experience with the abuse of a mixed power exercised by the legislative branches of State Governments that the demand for the division of power arose. The general assemblies of some States had practiced control of the judiciary—the setting aside of judgments of the courts, the interpretation of contracts, the administration of estates, the determination of rights as between individuals and otherwise exercising powers purely judicial in character.

In 1780 Massachusetts wrote into her constitution that—

> In the government of this Commonwealth the legislative department shall never exercise the executive and judicial powers, or either of them; the executive shall never exercise the legislative and the judicial powers, or either of them; the judicial shall never exercise the legislative and executive powers, or either of them, to the end it may be a government of law and not of men.

Other States had already taken similar action, the highest court of Virginia having declared the rule of the controlling power of the court in 1772 and again in 1776.

So it seems fair to assume that when the delegates to Constitutional Convention entered upon the performance of their duties they did so, not only with the idea of preserving

the rights of the States being uppermost in their minds, but also with the idea of the division of the powers of Government to be formed into three parts, coordinated but not mixed.

It is not by me contended that a government which is absolute trinity in form was constructed or could have been constructed, or if constructed could be maintained. It is often impossible to draw a line of demarcation between legislative, executive, and judicial functions. A power may partake of the nature of each and not be susceptible of division. Growth and developments produce complications that demand flexibility at times. However, this ideal was so closely approached by the framers of the Constitution that it is substantially true to say that it was attained.

The language of the Constitution applicable to the point under consideration is found in section 1, article 3:

> The judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as the Congress may from time to time ordain and establish.

And in section 2, article 3:

> The judicial power shall extend to all cases, in law and equity, arising under this Constitution and the laws of the United States * * *.

This language is not dependent upon the rule of loose construction for the meaning that acts of Congress are subject to judicial review. To say that the judicial power shall be vested in certain courts is to say that no judicial power is vested in Congress, except as may be specifically provided. While all three departments of the Government are independent within their own sphere, acts of both the executive and legislative branches, when performed, are subject to judicial review when the question of validity is raised in a case involving the rights of parties.

The Court holds no veto power over acts of Congress and will not pass upon the constitutional validity of an act unless the case presented requires it. An act may be contrary to common right and reason and impossible of performance, still, if it violates no provision of the Constitution, the Court has no discretion but to let it stand.

The question of the power of the Supreme Court to pass upon the validity of acts of Congress first arose in the celebrated case of *Marbury* v. *Madison* (1 Cr. 132). It is fortunate that it came early in the history of the new government and fell into the hands of so able a jurist as Chief Justice Marshall to decide. In the opinion the Chief Justice said:

> It is, emphatically, the province and duty of the judicial department to say what the law is. Those who apply the rule to particular cases must, of necessity, expound and interpret that rule. If two laws conflict with each other, the courts must decide on the operation of each. So, if a law be in opposition to the Constitution, if both the law and the Constitution apply to a particular case, so that the Court must either decide that case conformable to the law, disregarding the Constitution, or conformable to the Constitution, disregarding the law, the Court must determine which of these conflicting rules governs the case. This is the very essence of judicial duty. If, then, the courts are to regard the Constitution, and the Constitution is superior to any ordinary act of the legislature, the Constitution, and not such ordinary act, must govern the case to which both apply.
>
> Those, then, who controvert the principle that the Constitution is to be considered in court as a paramount law are reduced to the necessity of maintaining that courts must close their eyes on the Constitution and see only the law.
>
> This doctrine would subvert the very foundation of all written constitutions. It would declare that an act, which, according to the principles and theory of our Government, is entirely void, is yet, in practice, completely obligatory. It would declare that if the legislature shall do what is expressly forbidden, such act, notwithstanding the express prohibition, is in reality effectual. It would be giving to the legislature a practical and real omnipotence with the same breath which professes to restrict their powers within narrow limits. It is prescribing limits, and declaring that those limits may be passed at pleasure.

Of that decision, the brilliant Rufus Choate said:

> I do not know that I can point to one achievement in American statsmanship which can take rank for its consequence of good above that single decision of the Supreme Court, which adjudged an act of the legislature contrary to the Constitution to be void, and that the judicial department is clothed with the power to ascertain the repugnancy and pronounce the legal conclusion. That the framers of the Constitution intended this to be so is certain; but to have asserted it against Congress and the Executive, to have vindicated it by that easy, yet adamantine demonstration than which the reasoning of mathematics shows nothing surer, to have inscribed this vast truth of conservatism upon the public mind, so that no demagogue, not in the last state of intoxication, denies it—this is an achievement of statesmanship (of the judiciary) of which a thousand years may not exhaust or reveal all the good.

Those still contending that the Supreme Court has no such power under the Constitution derive great comfort out of the dissenting opinion of Chief Justice Gibson, of Pennsylvania, in the case of *Eakin* v. *Raub* (12 Seargent and Rawles Reports, 330), in which he attacked the reasoning of Chief Justice Marshall as weak and inconclusive, contending that if the Court had such power that it was a political and not a judicial body. They overlook the fact that this great judge, later, in the case of *Norris* v. *Clymer* (2 Pa. State Repts. 281) abandoned this position.

One of our great Senators in a recent speech attacking the Supreme Court, quoted the decision of Mr. Justice Chase in the case of *Hylton* v. *United States* (1 U. S. 174) as follows:

> If the courts have such power, I am free to declare that I will never exercise it, but in a very clear case.

And yet Justice Chase concurred in the decision of Marbury against Madison. Of the other authorities cited by the Senator in this very able speech not one supports the contention that the Supreme Court has not the power to hold acts of Congress unconstitutional, or that it should not have such power.

It is difficult to form a law in such language as to convey the same meaning to every mind. Nevertheless, the meaning must be derived from the language used, unless it so clearly appears that a contrary design was intended to be accomplished, in which case interpretation should be favorable to the spirit and against the letter of the law. However, caution must be exercised to keep interpretation from expanding into enlargement. It is the legislative branches of government that make laws and not the judges.

It is freely conceded that the vesting of power in the judicial branch of the Government to declare unconstitutional and void acts of the legislative branch was something new in jurisprudence. There is no definite precedent for it to be found in either the Roman or English systems, from which the framers of the Constitution drew. But neither of these systems were adjusted or susceptible of being fully adjusted to a government of limited powers. They were the development of governments absolute in form; governments enjoying absolute and complete sovereignty. Whereas with us the Federal Government is sovereign only to the extent of the use of power delegated to it.

The framers of the Constitution, acquainted with the lessons of history, sought to profit thereby. The protection of the States was their chief concern. They did not want a general government of unlimited powers but a government forming a more perfect union of sovereign States; one establishing justice and insuring domestic tranquillity; a government to promote the general welfare of the people of the several States.

To make clear public will on the question of the division of powers the First Congress proposed and the States adopted the tenth amendment to the Constitution, which says:

> The powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States, respectively, or to the people.

A storm of criticism was directed at the Supreme Court following its decision in the Dred Scott case. As great and profound as was the decision of Chief Justice Marshall in Marbury against Madison, it was neither greater nor more profound that was the decision of Chief Justice Taney in the case of *Dred Scott* v. *Sanford* (60 U. S. 393). While the decision of Chief Justice Marshall was the first pronouncement of the Court on the subject of the power of the Court to hold acts of Congress in violation of the supreme law and was made on a case that was a political issue at the time, the circumstances were not so trying as those confronting the Court in the Dred Scott case, for there the fate of the

Nation hung in balance. And yet the old judge was not cowered and met the issue as a brave and conscientious man and wrote an opinion that is a classic in our American jurisprudence. Some day a just people will see fit to do justice to the memory of this great man.

If the framers of the Constitution did not intend to subject acts of Congress to judicial review and still did not intend that Congress should have unlimited power, then what check upon Congress did they intend to impose? Congress holds a check upon the Executive and the judiciary through the power of impeachment, but who holds a check upon Congress?

In the development of our constitutional system it is impossible to imagine what might have happened if the courts had not had this power.

> The judicial power of the United States shall be vested in one Supreme Court * * * and * * * shall extend to all cases, in law and equity arising under this Constitution * * * and * * * the laws of the United States * * *.

Does this not make the Supreme Court the tribunal for the determination of all Federal questions arising in law and equity under the Constitution and the laws of the United States? Was it intended that the binding effect of a Federal law might be passed upon by a State court but not touched by the Federal judiciary?

What is an act of Congress but a law of the United States? To remove it beyond the field of attack is to give it the force and rank of the supreme law; indeed, it would supersede the supreme law. Are there those who believe that the founders of the Government ever intended to vest such power in Congress?

Why should an act of Congress be more sacred than State laws? Do not members of all legislative bodies take an oath or solemnly affirm to uphold and defend the Constitution as the supreme law of the land? Is this oath less binding upon Congress than State legislatures? I take it that no one would argue that the Supreme Court should not have the power to invalidate State laws on the ground of unconstitutionality, but why State laws and not Federal laws? There is no more delegation of power for the one purpose than for the other. If Congress may legislate without regard to the Constitution, then why not the States?

Be reminded again that it was the people of sovereign States that formed the Union, and that they made it a government of limited powers—all powers not delegated being reserved to the States or to the people. Congress cannot rightfully exercise greater power than was delegated; neither can the Executive or judiciary. But what is the position of those who attack the Court upon the basis of the assumption of power? It can be nothing less than that the will of Congress should be supreme. But who wants to live under a government of supreme legislative power? Under such conditions would life be tolerable to a people accustomed to freedom? And yet this is the power that Congress would have if the check imposed by the Constitution be removed, and if the Court be stripped of the power against which complaint is heard it will be removed.

If Congress may exercise an unrestrained power, then what powers are reserved to the States and to the people? Do the people want a Congress enjoying supreme powers? With such power it could adopt a law prohibiting the free exercise of religion, the freedom of speech, the freedom of the press, or the right of the people to peaceably assemble and to petition the Government for a redress of grievances. If its laws are not subject to attack, then what becomes of the powers reserved to the States or to the people? What sanctity has any part of the Constitution? Might it not as well be destroyed, for if not binding upon Congress then it is not binding upon anyone, and should not be.

To take from the Supreme Court the power to apply the constitutional test to acts of Congress would mean the changing of our whole form of government. It would mean the concentration of all powers in Washington and the complete destruction of the States. It would mean the abandonment of the Constitution, the loss of liberty, and the subjugation of the people to what may conceivably be a blind, irresponsible, tyrannous force.

Let those who, in their wrath or disappointment, demand curtailment of the powers of the courts take account of the possible consequences of such change.

It may be contended that Congress, having complete and unlimited legislative power, would not use it to the point of violating the liberties of the people. But why vest a power that should never be exercised? Why expose the people to so deadly a hazard?

If change is needed, then let it come in the manner provided by law. Let the people know what they are invited to do and be not misled into a position that is false to liberty and to life. I know that the Supreme Court is a human institution, just as are all others, and that it is subject to the same frailties of human nature, but to say that it has ever been the minion of wealth is to speak the language of blind and malicious ignorance. It is liberty's best friend—the people's guarantee of protection of their constitutional rights. Someone has said that it is "the living voice of the Constitution", in the formation of which "the lessons and experiences of 4 continents and 30 centuries lent their aid." Certainly it has a proud record for high public service, a fame for honor and impartiality that is not excelled by any similar body in all world history. No more imposing judicial power was ever constituted by any people. The Executive appeals to it in resisting the encroachment of the legislative powers; the legislative demands their protection from the designs of the Executive; it defends the Union from the disobedience of the States, the States against the encroachment of the Union, the public interest against the interest of private citizens, and the conservative spirit of order against the fleeting innovations of democracy.

I like to think of the Court as having the power in the name of the people to summons before its bar the great and the small to receive judgment in accordance with law. I like to think of it as the purest expression of the public conscience to which the humblest citizen as well as the sovereign powers may appeal for the righting of wrongs.

The nine men who constitute the Court are not infallible. I have thought that in their interpretation of the due-process and commerce clause of the Constitution they projected Federal power too far into matters of purely domestic concern, and encroached upon the jurisdiction and prerogative of States, but in this regard they have never gone half as far as legislative will is disposed to go and would go if permitted to act without restraint. Mention need not be made of what would happen to the governments of rural communities and small States, and the concentration of power in populous centers.

A court with power to pass upon the validity of acts of the Executive and legislatures could not exist in a government absolute in form, but in a government of confederated sovereignties, living under a written constitution, it is necessary to the preservation of the spirit of order and as protection against the tyranny of the majority, a danger to order always existing in a democratic form of government with sovereignty in the people whose wisdom and justice is not always equal to their power.

It is unfortunate that critics of the Court should fall into the grievous error of making its decision the subject matter of partisan political controversy, thereby undermining the institution in the confidence of the people, a thing so necessary to its power and influence.

No political significance is to attach to my remarks. I am only undertaking to paint the pictures in less high colorings and with a stricter regard to realities. The Court has done nothing other than say what the law is. If the acts of Congress referred to are unconstitutional, then the responsibility is that of Congress and not the Court.

As for myself, I never entertained the slightest doubt but that the National Industrial Recovery Act was unconstitutional, but as to the Agricultural Adjustment Act, while entertaining some serious doubt, I thought there was a chance of its holding against attack on the theory developed in the minority opinion of the Court. However, I have always believed that the right approach to the subject of agricultural relief was through grants to the States, and still

think we should proceed along that line under some general policy laid down by Congress. The people are the source of all public virtue, and their care in their own concern must not be destroyed through governmental monopolization of the energy of their existence, for when this is lost the Nation dies.

Following the decision invalidating the National Industrial Recovery Act, some criticism was made of the President for a remark he is alleged to have made upon being informed of the fate of the act, which was to the effect that the country was being turned back to "horse and buggy" days. Considering the important part that the law played and was intended to play in the recovery program, it is reasonable that he should have been disappointed and should have so expressed himself. He was entirely self-restrained and made no expression approaching in violence statements made by President Jefferson following the decision of the Supreme Court in the Marbury case, who said:

> The judiciary of the United States is the subtle corps of sappers and miners constantly working underground to undermine the foundations of our confederated fabric.

Neither was the statement severe and hostile in tone as those made by President Lincoln following the action of the Court in the Dred Scott case, who said:

> * * * If the policy of the Government upon vital questions affecting the whole people is to be irrevocably fixed by decisions of the Supreme Court * * * the people will have ceased to be their own rulers, having to that extent practically resigned their Government into the hands of that eminent tribunal.

It was mild as compared with the angry utterances of President Theodore Roosevelt made in his advocacy of recall of judicial decisions.

There has been no demand on the part of the Executive that the Constitution be bent to meet the exigencies of the hour. This great charter of human liberty is as sacred to him as it should be to all others. His appeal has been that the Congress not stand still in the midst of the Nation's distress but move forward and lift from the lives of the people the pall of misery that rested upon them.

So, no matter how widely apart we may be on constitutional interpretation, how greatly our philosophies may differ or our opinions clash, let us preserve a tolerant attitude, keep an open mind, speak the language of moderation, and defend the Republic against the assaults of madness, misconception, and wicked design. Let the coordinated branches of government exercise their full constitutional powers in the public service, lest America be hurled from the proud pinnacle of glory where the sacrifices and exertions of the people have placed her. [Applause.]

Mr. MARTIN of Colorado. Mr. Speaker, I rise to ask the gentleman from Georgia a question.

The SPEAKER pro tempore. The time of the gentleman from Georgia has expired. Under the special order of the House, the Chair recognizes the gentleman from Maine [Mr. HAMLIN] for 15 minutes.

Mr. HAMLIN. Mr. Speaker, a recent decision of the United States Supreme Court has attracted attention to the age-old question of free speech and free press in America. I propose to discuss this today, but due to my limited time am forced to decline to yield to interruptions. I do this the more willingly since my distinguished colleague from Minnesota following me will, I am sure, patch up and add to my poor structure, so that at the close there will be little need for more light on this great subject.

Free speech and a free press dates from Lexington and Bunker Hill and the treaty of peace with England in 1783. It has had milestones all along the way—the Declaration of Independence, the Constitution of the United States and its amendments, right of petition, emancipation proclamation, eighteenth amendment and repeal, enfranchisement of women, and the humanitarian policy and achievements of this present administration.

These great movements of public opinion in free America sprang from and live today through the education of its masses, not in muzzling speech or the press, as in nations of the past and present, but in the freedom of its citizens under law, knowing that the freedom of its citizen ends where the freedom of the Republic begins.

These great advances, not retreats, for it is not our job to permanently retreat in America, have had leaders in speech, spoken and written, in peace and in war, with always the objective—freedom, and the truth has made us free.

Patrick Henry spoke it in the House of Burgesses, Sam Adams wrote it for the town meetings in New England, Tom Paine penned it on a drum head, and Washington fought for it and best of all lived it when he refused the kingship of America. The treaty of peace, an open covenant openly arrived at, was steered by the great printer of free speech, Benjamin Franklin—the Declaration of Independence; Jefferson, the founder we might say of schools and colleges in Virginia, its author; and along with this came the United States Constitution, two of the greatest state papers ever made by man. I say to you, the great framers of that chart and compass which we all believe in were inspired by Almighty God, and with sturdy hearts and enlightened minds accepted by three-fourths of the Colonies after debate in the press and on public platforms by Hamilton, Jefferson, Madison, the immortal Washington, and many others.

The right of petition, led by John Quincy Adams, in this House, and granted at last by the South, generous then as now, was a victory for free speech and a free press as was the Emancipation Proclamation, and the Eighteenth Amendment, especially its repeal.

The enfranchisement of women—and last Saturday was the one hundred and sixteenth birthday of Susan B. Anthony—was a logical prelude to you good ladies of this House. But I ask you, did not these great leaders in these great movements of the past, were they not closely touching and in most cases forced by public opinion emanating from free speech?

Oh, yes; time and public opinion puts men and measures in the right place. When we read of Washington we must remember Conway, Cabal, Gates, Lee, and those critics who made him say that he would have preferred death rather than the abuse to which he was subjected. We see today Mount Vernon, this Capitol, and our great Republic monuments to his true worth.

Did Jefferson have critics? Read his life and see. Yet the Louisiana Purchase, begun by him, opened the golden West until Texas, New Mexico, and California were ours. He always fostered free speech and press.

Did John Quincy Adams have opposition? Yes; while President, but more in forcing the organization of this very House and winning the support of his colleagues and public opinion.

Jackson? Why, he lived and thrived on opposition then; but now his monument is down there; I love to look at it. He always took it on the chin, met his opponents in the open at New Orleans and Washington; he never tried to overthrow speech or press, but believed in their freedom; he did overthrow entrenched greed, the United States Bank.

And now I must be careful, for I deal with men and measures of today. Yet I shall speak of these men and policies as I see them affected by free speech and free press—and I speak under the principle of free speech.

I believe Teddy Roosevelt's courage in great reforms was helped materially by public opinion; that Grover Cleveland was tried and proved by public opinion, accepted after death, not as a servant of Wall Street nor an English sympathizer but a man who stood for an honest dollar, arbitration with Great Britain, and a defender of law and order.

I believe that public opinion through freedom of press and speech has proven President McKinley not manipulated by his friend Mark Hanna; and President Coolidge, privately and publicly a typical New England product, constant and unswerving. It has shown that President Wilson was first of all a patriot and one of the greatest educators and world idealists this Nation ever saw. He had a vision. When there is no vision the people perish. I might speak of the strength of public opinion in Europe.

Sometimes we read and hear sensational stuff that is in the current papers and radio programs, and we are mad

and sick at heart, but there is so much good, too, in them; for much, thank God, found here is against communism and the reds, against high-toned education under the guise of liberty and freedom, against presuming to ask teachers to swear allegiance to that flag which cost us so much and stands for all we are or shall be. I say when we read and hear this it makes us happy; but when we hear and read politics, pro and con, Al Smith and BORAH, this good Democrat for this and that good Republican for that, each one knows he is right—ah, there is the rub!

And you say to me, "If you believe in public opinion and free debate, why did you vote for the gag rule and the death sentence and 'soak the rich', as proclaimed in the press?" My answer, allowed by free speech, is that the gag rule is a misnomer—it is a governmental rule enabling the majority of this House to act; that the death sentence of 7 years is a long death and longer than I wish it were; that "soak the rich", translated, is "give the poor an equal chance." But, as in the past, if an intelligent, fair, and well-diffused public speech and press—and they were never so universal—will precede our elections, our elections will bring good government, which will be supported and guarded by a healthy and courageous public opinion, and America will continue safe and happy.

Free speech and press plague us when we do not agree with them, but no matter if we are right, somebody else is printing it and at last in America truth will live. Judge Sutherland is right—

> A free press stands as one of the great interpreters between the Government and the people; to allow it to be fettered is to fetter ourselves.

And Franklin said:

> Whoever would overthrow the liberty of a nation must begin by subduing the freeness of speech.

The SPEAKER pro tempore (Mr. MCSWAIN). The time of the gentleman from Maine has expired.

Mr. ZIONCHECK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ZIONCHECK. I wanted to ask the gentleman from Maine [Mr. HAMLIN], who was quoting Jefferson, whether Jefferson said if such things as he advocated were passed and such laws, that half the people would be hypocrites and the balance would be fools.

Mr. BLANTON. Mr. Speaker, that is not a parliamentary inquiry and it is against the rules of the House. There is a special order.

The SPEAKER pro tempore. The gentleman is out of order.

Mr. ZIONCHECK. Then I withdraw it.

The SPEAKER pro tempore. Under the special order of the House the gentleman from Minnesota [Mr. KNUTSON] is recognized.

Mr. KNUTSON. Mr. Speaker, I was constrained to ask for this time because I realized that the rule to accompany the neutrality resolution would, of necessity, greatly limit the time for debate, and quite properly so.

I happen to be one of the few now here who were Members of the House during the war Congress back in 1917 and 1918, when my distinguished colleague, the gentleman from Alabama [Mr. BANKHEAD], the able majority leader, also became a Member of this body.

A very remarkable address was delivered in another body a week ago today that I feel should not go unanswered. In that address the speaker virtually served notice on Japan that if the Japanese do not live up to the obligations which she has assumed in certain treaties this country would go to considerable lengths to compel her to do so. In view of the fact that the speaker to whom I have reference occupies a position unusually close to the administration, I am wondering whether he spoke by the card.

Mr. BANKHEAD. Mr. Speaker, I feel constrained to make a point of order. The rules of the House, as I understand them, specifically provide that no reference shall be made by a Member of the House to a statement made by a Member of the United States Senate with reference to his action in such Senate. I think the character of speech which the gentleman from Minnesota is making transgresses the rules of the House.

Mr. KNUTSON. Mr. Speaker, I did not mention the Senate. I simply said "some remarks had been made in another body."

The SPEAKER pro tempore (Mr. MCSWAIN). The Chair sustains the point of order. The implication is plain that the reference is to the Senate of the United States. The point of order is sustained. The gentleman will please proceed in order.

Mr. KNUTSON. Of course, that throws my remarks completely around. [Laughter and applause.]

I will go at it in this way: Back in 1916 the Democratic Party went before the country on the slogan that Woodrow Wilson had kept us out of war, and, acting upon the assumption that he would continue to keep us out of war, the American people reelected him President by a close margin. In fact, it was so close that we did not know for several days who had been elected President. I am wondering, Mr. Speaker, if the policy will be reversed in the coming campaign, and that we are going to be plunged into war with Japan before election so that an appeal may be made to the American people to not change horses while we are in midst of an emergency.

There is no valid ground for our going to war with Japan either for the purpose of promoting our commerce or protecting the territorial integrity of another country, more especially when that country has demonstrated its incapacity for orderly self-government.

Our trade with the Orient is largely a thing of the past, because we cannot compete with Japan when it comes to cost of production. I will not go into that phase now, as I have done so on previous occasions. Mr. Speaker, our trade territory lies to the south, and I am glad that President Roosevelt has called a conference of the nations of this hemisphere, the object of which is to attain a better and more harmonious understanding among them. Let us cultivate the people of Latin America. They are our friends, and among them lies our richest market as does their best market lie with us.

All wars are commercial or political. We were dragged into the World War to protect the loans to the Allies made by the New York international banking crowd. We now know that at the very time we were being urged to stand by President Wilson in the 1916 campaign, because he had kept us out of war, it had been definitely decided we were to enter that war after election, providing Mr. Wilson was reelected.

I thank God that I am one of those who voted against going into that war. Had we stayed out of it, we would have been spared the misery and suffering that has been our lot the past few years.

Now, Mr. Speaker, I fear that the question of neutrality is one that very few of us understand sufficiently well to legislate upon. I do not believe we should adopt a policy of neutrality that will cause us to surrender those things which we acquired as a result of the War of 1812, the freedom of the seas; certain rights that no proud people would willingly give up. I believe we should keep free of foreign entanglements, as recommended by the immortal Washington. We should prohibit the sale of foreign securities in this country by any belligerent. We should prohibit foreign countries that are at war coming to this country and unloading a lot of "cats and dogs" upon us in return for good American dollars and merchandise. We should insist upon the right to sell to any belligerent who is willing to come here and pay cash for what he buys, and take it home with him. Is there anything wrong with a neutrality policy of that kind?

In the consideration of neutrality legislation, let us not forget that everything from bread for the women and children at home to cannon for the battlefield are held to be contraband of war. It follows that in the event of a general war we would thus be unable to sell abroad the products of our farms and factories if we were to adopt a neutrality law such as is asked for by the extremists. In every war, nonbelligerents have sold freely to such belig-

erents as they could make deliveries to. I would sell only to such belligerents as were able to pay cash and carry away with them that which they buy. I believe that such a policy would reduce to a minimum any danger of our being drawn into wars with which we have no concern.

During the present Italo-Ethiopian war it has been suggested that we impose sanctions. No. Sanctions can only lead to war. We were asked to place an embargo on oil against Italy a short time ago. Mr. Speaker, to have done so would have been the height of asininity. Why should we continue, as we have for a hundred years, to fight Great Britain's battles in our foreign policies? Is it not about time that we adopted an American policy for the American people that will redound to the welfare and glory of this great country?

I yield back the balance of my time. [Applause.]

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Colorado. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. MARTIN of Colorado. Mr. Speaker, I sought to interrupt the very able gentleman from Georgia, Mr. Cox, whom I greatly admire, with a question, while he was delivering his speech on the Supreme Court, but time did not permit.

My question would have embraced this proposition: The growing use of the judicial veto over acts of Congress since the beginning of the industrial era indicates a growing departure, a constantly widening breach between the organic law of the land and the economic systems and conditions of the country, which are apparently beyond the powers or capacity of the States to deal with, and resulting in these repeated frustrated efforts of Congress to deal with them. I wanted to ask the gentleman if he recognized this growing difference; and, if he did, what in his opinion ought to be done about it, or whether anything needs to be done.

[Here the gavel fell.]

Mr. MAVERICK. Mr. Speaker, I ask unanimous consent——

Mr. ZIONCHECK. Mr. Speaker, I object.

The SPEAKER. To what?

Mr. ZIONCHECK. Whatever the gentleman wants, I object.

The SPEAKER. The gentleman from Texas has not stated his request.

Mr. MAVERICK. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes.

Mr. ZIONCHECK. Mr. Speaker, I object.

Mr. MAVERICK. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

Mr. ZIONCHECK. Mr. Speaker, I object.

Mr. MAVERICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAVERICK. Mr. Speaker, I understand that today will come up for consideration under suspension of the rules the matter of neutrality. I want to appeal to the common sense and intelligence of every Member of this body. We hear hour after hour taken up in personalities and home-consumption speeches, yet when the most important subject of this entire session comes before us, it comes under suspension of the rules, which is the worst form of "gag" rule it is possible to apply to a bill. It is intellectually dishonest, I say it is intellectually and spiritually cowardly of us to bring this up under a "gag" rule, under suspension of the rules.

I believe the only fair thing is for the Committee on Foreign Affairs to stand by its original report and its original bill, but if it does not report any bill whatever, with a rule which will give us an orderly and fair discussion of the measure. This "gag" procedure is not democratic and it is not fair.

What do you mean to do; do you mean to say that we have to listen hour after hour to speeches of no importance and give only 40 minutes to fundamental legislation such as the neutrality bill?

We have been here nearly 8 weeks; what have we done of a fundamental nature? Nothing! Should we spend the rest of our time shadow-boxing and rush home? Forty days and more on speeches, 40 minutes only on millions of human lives——

[Here the gavel fell.]

Mr. SISSON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas may proceed for 2 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. ZIONCHECK. Mr. Speaker, I shall object to 2 minutes. The gentleman should modify his request to make it 1 minute for the gentleman from Texas. One minute is enough.

Mr. SISSON. Mr. Speaker, I modify my request and ask unanimous consent that the gentleman from Texas may proceed for 1 additional minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MAVERICK. We might as well agree that certain special groups have come into the picture. I refer to the letters of certain leaders of Italo-American groups. I am not referring to Italian-American people, because they are just as good Americans as I or anybody else; but certain persons out of organizations representing Italian-Americans have written letters saying they are entitled to special consideration for Italy.

I deny to any racial group in this country the right to special consideration. [Applause.]

As I said, the Italian-American groups may, through their leaders, demand special consideration, but Italian people as a whole have exactly the same reactions as anyone else. It seems to me that the pressure, the so-called Italo-American pressure, has not come from the mass of Americans who are of Italian extraction or descent, but from certain leaders. I make no statement concerning the Government of Italy. Their form of government is their business, and our form of government is our business, but I stand for strict neutrality and for staying out of the war, and the Italian-Americans no more want to get into a war than did the good and patriotic Americans of German extraction in the late war. Let us not look at this from a racial viewpoint whatever; let us look at it from a viewpoint of what is best for America.

Another thing, I have been trying to find certain testimony given by John Bassett Moore for several weeks. I should have been able to get it here, but I did not; I finally had to get it from the New York Chamber of Commerce. They oppose neutrality legislation. Is their interest unselfish? Have they given this thorough thought? A common-sense businessman ought to see that any temporary sacrifice that is made will certainly be cheaper, just from a money viewpoint, in the long run. This is wholly aside from the viewpoint of humanity, which is compelling enough.

Mr. Speaker, I urge that this "gag" rule be defeated, and that the Committee on Foreign Affairs then bring in a bill under a fair, democratic rule, so we can at least be heard on the subject. [Applause.]

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes.

Mr. ZIONCHECK. Mr. Speaker, I object. Make it 1 minute.

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

Mr. ZIONCHECK. Mr. Speaker, I object.

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SWEENEY. Mr. Speaker, in a radio address Sunday afternoon, February 16, 1936, the Reverend Charles E. Coughlin, founder of the National Union for Social Justice, and spokesman for millions of oppressed and inarticulate citizens of this Nation, dared to tell the American public the truth about legislation in Congress.

He condemned the tactics of the leaders of the majority side in obstructing the opportunity for free debate on the Frazier-Lemke bill, which petition to discharge the committee now lies on the Speaker's desk, containing the signature of 209 Members.

He also condemned the legislation sponsored by Representative JOHN J. O'CONNOR, a private bill known as H. R. 4178, designed for the relief of the International Manufacturers Sales Co. of America, Inc., A. S. Postnikoff, trustee, in the amount of $900,000. This bill was vetoed by the President of the United States on February 11, 1936, and sustained by a roll-call vote of 333 to 4.

The gentleman from New York [Mr. O'CONNOR] at the conclusion of Father Coughlin's radio address sent to him the following telegram:

REV. CHARLES E. COUGHLIN,
Royal Oak, Mich.:

Just heard your libelous radio ramblings. The truth is not in you. You are a disgrace to my church or any other church, and especially to the citizenship of America which you recently embraced. You do not dare to print what you said about me. If you will come to Washington I shall guarantee to kick you all the way from the Capitol to the White House, clerical garbs and all. Silver in your pockets you got by speculating in Wall Street while I was voting for all farm bills.

JOHN J. O'CONNOR.

With the threat of the honorable gentleman from New York [Mr. O'CONNOR] to kick a priest from the Capitol to the White House I am not interested; nor with the anger of the gentleman from New York. The thing that is important is whether the things the radio priest said are true. I am certain that Charles E. Coughlin, the American citizen, can take care of himself under any circumstances. And I am authorized to state he will exercise his constitutional right as a free American citizen and accept the challenge of Mr. O'CONNOR to come to the Capitol at his convenience and meet him face to face on the issue which was raised by the radio priest yesterday, February 16, 1936.

There are many Members of this Congress who were suspicious of the legislation known as H. R. 4178. This is confirmed by the tremendous vote to sustain the President's veto.

There are some things the Congress and the people of the Nation are entitled to have cleared. Pertinent to the inquiry one dares to ask why, after the United States Senate reduced the claim to $658,050, the conference committee inserted the amount $900,000, which was the sum included in the final passage of the bill.

It is pertinent to inquire why the State Department, despite the claim made by the proponents of this private bill that they were in sympathy and had recommended its passage, have no files or memoranda on the subject.

It is pertinent to inquire why the gentleman from New York [Mr. O'CONNOR], on August 20, 1935—page 13852, the CONGRESSIONAL RECORD—stated:

This bill was inherited by me from my predecessor. This company has been knocking at the gates of Congress for 17 or 18 years. I have never gone into the details of this bill, as had the gentleman from North Carolina [Mr. CLARK], the gentleman from Oklahoma [Mr. NICHOLS], and the gentleman from Alabama [Mr. BANKHEAD], but these gentlemen who have say it is absolutely justified on its merits.

The RECORD fails to disclose that the distinguished majority leader, Mr. BANKHEAD, ever made a statement, one way or the other, when this measure was under consideration.

May I be permitted to recite for the benefit of the RECORD the fact that the gentleman from New York [Mr. O'CONNOR'S] predecessor was the Honorable Bourke Cockran, since deceased, perhaps one of the most outstanding gentlemen of his generation. He served in the House from March 4, 1887, to 1889; elected to the Fifty-second and Fifty-third Congresses, respectively; served from November 3, 1891, to March 3, 1895; elected to Fifty-eighth, Fifty-ninth, and Sixtieth Congresses, respectively; having served from February 23, 1904, to March 3, 1909. Mr. Cockran did not return to Congress until he became a Member of the Sixty-seventh Congress and served from March 4, 1921, until his death March 1, 1923. Obviously, this claim is alleged to have arisen during the year 1918 to 1919 at a time when Mr. Cockran was not a Member of the House. If he at any time sponsored the legislation in question, as indicated by the remarks of the gentleman from New York [Mr. O'CONNOR], it could only have been during his services as a Member of the Sixty-seventh Congress, the period from March 4, 1921, to his death, March 1923. I have searched the RECORD, and I do not find where Mr. Cockran was identified in any way with this legislation.

I submit this as a statement of fact to remove whatever inference there may be that the gentleman from New York [Mr. O'CONNOR] inherited this bill from the distinguished gentleman, Congressman Bourke Cockran, whose lips are sealed in death, but whose reputation and memory is clarified by the RECORD.

It is pertinent to inquire whether or not the War Trade Board, referred to in the RECORD and the veto message, was in fact in existence at or about the time this obligation was contracted by the International Manufacturers Sales Co., Inc., A. S. Postnikoff, trustee. It is significant also to note that the Secretary of the Treasury, the Acting Director of the Bureau of the Budget, the Comptroller General, and the Attorney General united with the President in recommending that the bill be vetoed.

There seems to be one issue involved in this controversy, which has now been made a matter of public record and Nation-wide importance, and that is the truth or falsity of certain statements. The calling of names and the threat of physical violence will not clarify the issue. Commendation should be accorded the Chief Executive in acting in a courageous manner in exercising his right of veto to kill questionable legislation of this type that had no legal basis for recovery of damages against the Government. It is also pertinent to inquire who the lawyers, if any, were interested in the successful passage of this private bill.

PERMISSION TO ADDRESS THE HOUSE

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

Mr. MAVERICK. Mr. Speaker, reserving the right to object, that is a very long time.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, may I ask the majority leader when we are going to take up the regular business today?

Mr. BANKHEAD. Replying to the inquiry, I think it is proper for me to state at this time that we have been very liberal and generous in the disposition of time this morning. This is the day set aside for the consideration of bills on the Consent Calendar and there are many Members present who would like to have their bills brought up for consideration. I shall not object to the request of the gentleman from Oregon, but I trust that hereafter Members will not make similar requests.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PIERCE. Mr. Speaker, I learn from the press this morning the chairman of the Rules Committee states that no Democratic member of the Committee on Agriculture of the House of Representatives has asked for a rule for the consideration of the Frazier-Lemke refinancing bill. It was on my motion that the bill was reported out of the Agricultural Committee. I thought I had spoken to the chairman of the Rules Committee about getting a rule. I am sorry if my memory is at fault. However, I now publicly ask as a Democratic member of the Committee on Agriculture that the Rules Committee report a rule upon this bill, so that it may be brought up on the floor for consideration.

Mr. ZIONCHECK. Are there not a lot of Democratic signatures on the petition to discharge the committee?

Mr. PIERCE. I signed the petition to discharge the committee.

[Here the gavel fell.]

Mr. CELLER. Mr. Speaker, I ask unanimous consent that on Wednesday next after the reading of the Journal and disposition of matters on the Speaker's desk I may address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. BANKHEAD. Mr. Speaker, reserving the right to object, it has been previously announced that we will take up on Wednesday next the farm bill, in which I imagine all Members of the House are tremendously interested. It is unpleasant to object to these unanimous-consent requests. I wonder, therefore, if the gentleman could not content himself with getting time in general debate on this bill. I think we can arrange it for him.

Mr. CELLER. The difficulty is I desire to speak out of order. I modify the request to 10 minutes.

The SPEAKER. What is the request of the gentleman from New York?

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House on Wednesday next after the reading of the Journal and disposition of matters on the Speaker's desk for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. ZIONCHECK. Mr. Speaker, I object.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, my good friend, the gentleman from Texas, has referred to the so-called Italian-Americans requesting special consideration in the matter of neutrality legislation. I simply want to inform my colleagues of the House that these so-called Italian-Americans are Americans of Italian extraction and that the Americans of Italian extraction are not requesting special consideration. They are interested only in the welfare of the United States of America. They have demonstrated this by working for, fighting for, and dying for our Nation. They are willing to fight and make any contribution or sacrifice for the United States, but they expect justice. It is their desire to keep our Nation out of war. They want peace. They are opposed to any scheme which would make our Nation the tool of either the international racketeerism of the League of Nations or the imperialistic interests of any foreign nation. They also believe that neutrality policies should be fixed by Congress and not by the Executive. This is the cause they espouse. Who can say that it is not a just one? Who can say that it is not American? Who can say that it is not for the cause of peace? [Applause.]

PENNSYLVANIA HAS FAILED THE AGED

Mr. ELLENBOGEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. ELLENBOGEN. Mr. Speaker, under the leave to extend my remarks in the RECORD I include the following:

Seventeen State laws have been approved by the Federal Government for participation in Federal old-age-pension funds, but Pennsylvania's law has been rejected. Why?

The reasons for the rejection of Pennsylvania's inadequate and absurd old-age-assistance law will amaze and shock you.

But first let us discuss the history of old-age pension legislation in Pennsylvania, and then examine its present status.

FIRST STATE PENSION ACT

On May 10, 1923, the State legislature in Harrisburg passed an old-age pension act. This action was dishonest because insufficient funds were appropriated. Only $25,000 was appropriated for a 2-year period—a sum of money which could not even begin to pay for administering the law in the 67 counties of Pennsylvania. The appropriation of only $25,000—when thirty millions were required under that law—was a cruel joke at the expense of the needy aged of Pennsylvania.

It was a deliberate fraud on the aged of Pennsylvania. Instead of extending sympathy and help, the State legislature in Harrisburg in 1923 handed the aged a joker.

SUPREME COURT VOIDS ACT

The Supreme Court of Pennsylvania came to the aid of the State legislature, and on February 2, 1925, Justice Kephart of the State supreme court delivered the opinion of the court that the old-age pension act of Pennsylvania violated the constitution of Pennsylvania and was therefore invalid.

Another attempt to enact old-age-pension laws which would conform with the present constitution of Pennsylvania was made by the special session of the State legislature in 1933. The attempt was made on the theory that if old-age pensions were confined to indigent aged—that is to say, to aged who were in need of public support—such an act might be upheld by the Supreme Court of Pennsylvania.

AID TO INDIGENT INADEQUATE

In this manner the present Old Age Assistance Act was passed. This act, ladies and gentlemen, is so inadequate and so limited in its application, that it even fails to comply with the modest standards set forth in the Federal social-security bill, passed last year by the Congress of the United States.

The act of Congress of August 14, 1935, provided that the Federal Government would match, dollar for dollar, all old-age pensions paid by any State of the Union, provided the State law would live up to certain minimum standards in making provisions for the needy aged.

Pennsylvania's law is below these minimum standards.

This fact explains the stories carried last week by the newspapers that the Pennsylvania law was not approved for Federal aid.

STATE AGE LIMIT TOO HIGH

In order to comply with the Federal law, the State law must fix the age limit at 65 years, or lower, but it has until January 1, 1940, to do so. However, certain residents are included under the Federal law who are excluded by the Pennsylvania law, and unless the State of Pennsylvania takes care of that class the Federal Government will not aid Pennsylvania in its old-age-pension payments.

It does not appear likely that Governor Earle, of Pennsylvania, who is very anxious to improve this situation, will be able by executive action to correct the shortcomings of the law, and it is therefore likely that Pennsylvania will not receive any Federal funds for old-age pensions until it changes its law.

TO AMEND SOCIAL SECURITY ACT

However, I will introduce a bill in the Congress to have the Federal law changed for a limited period of time so that the Pennsylvania State Legislature in Harrisburg will have an opportunity to pass an adequate old-age pension law when it meets in special session, which is expected to be called within a few months.

Now, let me tell you something about the Pennsylvania old-age pension law as it is in operation today.

Mr. Speaker, I make the following indictments of the Pennsylvania old-age pension law:

NINE CHARGES AGAINST STATE ACT

First. The old-age assistance law is inadequate, because the corrupt and controlled Republican State senators slaughtered the constitutional amendment to permit the people to vote on real old-age pension legislation.

Second. It limits old-age pensions to paupers only. It provides that old people who possess more than $300 in personal property are not eligible for pensions, even if they have no income whatever and are without friends or relatives.

Third. It provides only for payments of less than $30 a month, which are indecently low and shamefully insufficient.

Fourth. It denies medical aid to the aged needy and provides for less than a mere bread-and-water diet for them.

Fifth. It provides that the applicant for a pension must have lived in Pennsylvania either continuously for 15 years immediately preceding the date of his application, or for a total of 40 years in the State, and thereby disqualifies thousands of needy and aged people.

Sixth. It provides for an age minimum of 70, when 60 years should be the age at which pension payments begin.

Seventh. Insufficient funds have been appropriated, thereby denying pensions to about two-thirds of those eligible under this very restricted and limited law.

Eighth. It fails in other respects to meet even the minimum standards required by the Federal Social Security Act.

Ninth. These extreme restrictions and inadequate provisions will deny Pennsylvania millions of dollars each year in Federal funds.

AGE LIMIT SHOULD BE 60 YEARS

The Pennsylvania State law requires that a person must be 70 years of age to be entitled to aid.

This is an age limit which is far too high. In our industrial age, when many of our mines and mills and factories throw a human being on the scrap heap when he is 45 years of age, it is a travesty upon justice to say that the aged cannot receive a pension until they become 70 years of age. We might as well say that the aged will not receive the aid of society until they are so near the grave that they can enjoy pension checks for but a few short years. The people of Pennsylvania want an old-age pension, not a graveyard pension! There may be honest differences of opinion as to the age at which pension payments should begin, but there can be no difference of opinion about the fact that 70 years is far, far too high.

In my opinion old-age pension payments should begin at the age of 60 so that the aged may have a considerable number of years which they can spend in peace and comfort.

Ever since I have been in public office I have actively advocated and vigorously fought for the payment of old-age pensions to all those who are 60 years of age or more. I shall continue the fight until the goal is achieved. I shall battle until every aged person in Pennsylvania 60 years or more will receive from the State of Pennsylvania, aided by the Federal Government, an adequate and fair old-age pension check.

PAYMENTS ARE TOO LOW

But the high age limit is not the only defect of the Pennsylvania law.

The second outstanding defect in the law of Pennsylvania is the provision which fixes $30 as the maximum pension allowance. It is clearly impossible for an aged person to live in decency and simple comfort on $30 a month.

As a matter of fact, those who are over 70 years of age and those who fulfill all the strict requirements of that harsh law do not even receive as much as $30 a month. Under a ruling by the attorney general, the pension may be awarded to cover only four needs of the aged—rent, food, clothing, and fuel. Nothing is provided for medical care. Medical attention for persons over 70 years of age is as necessary as food or shelter. It is inhuman and unjust—it is tragic—that the Pennsylvania law will not permit the allotment of one cent for medical care for the aged of this State.

Thirty dollars a month is too low, but the needy aged do not even get that sum. Under the present law the average allowance in Allegheny County at this time is $25.40, and at no time was it any higher than $25.52.

PENNSYLVANIA'S RESIDENCE REQUIREMENT TOO STRICT

Another outstanding defect in the Pennsylvania law is the residence requirement. The Federal law provides that a State should pay pensions to resident citizens of the State who have lived in that State continuously for 5 years out of the last 9 years. But the Pennsylvania law says that an applicant must be a citizen for 15 years and must have lived in Pennsylvania for 15 years immediately preceding his application, or must have lived in Pennsylvania for a total of 40 years. These idiotic residence requirements are a serious stumbling block and will prevent Pennsylvania from getting any Federal funds unless they are drastically amended.

But here is the most astounding defect: The Pennsylvania Legislature, which half-heartedly passed this weak and inadequate law, delayed the enforcement of its provisions for a year after its passage. Then it deliberately refused to appropriate sufficient funds for this inadequate assistance law.

Now, let me give you some facts and figures. When the law took effect on December 1, 1934, 10,563 applications were received in Allegheny County from persons 70 years of age or over. Of these, 3,737 were allowed pensions and 6,617 were put on the waiting list.

TWO-THIRDS OF AGED ON WAITING LIST

On May 31, 1935, there were 4,017 aged on the pension list of Allegheny County and 7,934—nearly 8,000—were on the waiting list. Two-thirds of the needy aged of Pennsylvania who were eligible under the law were on the waiting list because of insufficient funds. And this waiting list is being steadily increased.

Mr. Speaker, you can visualize just what these figures mean. Every week I receive dozens of letters from old people living in Allegheny County complaining that, although they are eligible under this severe law, although their applications have been on file for over a year, they are not receiving a pension.

In the State of Pennsylvania 39,574 people received pensions as of December 31, 1935; whereas over 100,000 were on the waiting list. These facts and figures mean that the Legislature of the State of Pennsylvania has been derelict in the most elementary duty of providing the necessary funds to pay pensions for the aged.

We have seen that the Pennsylvania law is utterly insufficient and inadequate and far too strict regarding residence and other requirements.

If the law were more liberal, thousands more aged of Pennsylvania would be eligible.

ONLY ONE-THIRD OF REQUIRED SUM APPROPRIATED

Only $10,000,000 were made available for these payments when $30,000,000 were the minimum required. What is the use of passing a law to pay pensions to people 70 years of age or over, and then fail to appropriate the money to pay these pensions? That is a fraud upon all the people of Pennsylvania and a heinous fraud upon those aged who are qualified under the strict terms of the law.

A special session of the State legislature must be called as speedily as possible in order to change the Pennsylvania old-age pension law so that it will meet the minimum standard required by the Federal law. If that is done, the Federal Government will immediately pay to Pennsylvania one-half the money which Pennsylvania pays out for old-age pensions. If Pennsylvania would pay out $30,000,000, the Federal Government would immediately pay back to Pennsylvania $15,000,000.

PROGRAM FOR SPECIAL SESSION

Mr. Speaker, I urge the calling of a special session of the Pennsylvania State Legislature as soon as possible, and I urge that at that special session the legislature make the following changes which I have suggested in regard to old-age pensions:

First. Change the law so that it will comply with the minimum requirements of the Federal Social Security Act, thus enabling Pennsylvania to receive her share of Federal money for old-age pensions.

Second. I think the time has come when the age limit should be reduced from 70 years to 60 years.

Third. The Pennsylvania Legislature must appropriate sufficient money to pay pensions to all who are eligible. The waiting list must be abolished.

We must have decent and humane laws for the security of the old people of Pennsylvania. Every person in Pennsylvania who is over 60 years of age, and who needs it, should receive a pension from the State, a pension which will permit him to spend the winter of his life in simple comfort and free of financial worries.

EXTENSION OF REMARKS

Mr. MAVERICK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and to include

therein the headline taken from a newspaper containing just nine words, saying, "House gagged today to pass Neutrality Act." That is all there is.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

JURISDICTION OF SUPREME COURT ON T. V. A.

Mr. MONAGHAN. Mr. Speaker, I ask unanimous consent to withdraw H. R. 10764, which I have heretofore introduced, which bill would amend the T. V. A. Act, taking it from the jurisdiction of the Supreme Court. I find that this august body has reversed itself again by an 8 to 1 decision and affirmed the T. V. A., which now makes my bill totally unnecessary.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, what is the resolution?

The SPEAKER. It is a resolution which the gentleman states relates to the T. V. A. Is there objection to the request of the gentleman from Montana?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate had passed a bill and concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 3780. An act to promote the conservation and profitable use of agricultural land resources by temporary Federal aid to farmers and by providing for a permanent policy of Federal aid to States for such purposes; and

S. Con. Res. 27. Concurrent resolution providing for a compilation of Federal laws administered by the Veterans' Administration.

The message also announced that the Vice President had appointed Mr. BARKLEY and Mr. NORBECK members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments", for the disposition of useless papers in the following departments, viz: Agricultural Adjustment Administration, Post Office Department, Treasury Department, and War Department.

THE CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the calendar.

IRRIGATION CHANNEL BETWEEN CLEAR LAKE AND LOST RIVER, CALIF.

The Clerk called the first bill on the Consent Calendar, H. R. 6773, to deepen the irrigation channel between Clear Lake and Lost River, in the State of California, and for other purposes.

Mr. JENKINS of Ohio and Mr. PIERCE rose.

Mr. PIERCE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. JENKINS of Ohio. I object, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. JENKINS of Ohio. Mr. Speaker, I reserve the right to object to make this comment in the interest of the consideration of the calendar and the interest of expense to the Government. There are seven or eight bills here in succession, all of which have been passed over without prejudice a number of times, some of them eight or nine times, and some of them five or six times. This bill has been passed over without prejudice, I think, on eight different occasions and I think something ought to be done to clear the calendar. I am not opposed to the measure, but I think some action ought to be taken on the bill. I think the gentleman from Oregon appreciates this.

Mr. PIERCE. I certainly do, but the people I am representing are ready to compromise with respect to the terms of the bill and the gentleman from California [Mr. ENGLEBRIGHT] is also interested and I think we can agree on the proposed terms of the bill before the next call of the calendar.

Mr. JENKINS of Ohio. The gentleman thinks he can make these arrangements by the time the calendar is next called, and with that understanding I withdraw my objection to the bill being passed over without prejudice.

The SPEAKER. Without objection, the bill will be passed over without prejudice.

There was no objection.

COLONIAL NATIONAL MONUMENT IN THE STATE OF VIRGINIA

The Clerk called the next bill, H. R. 5722, to provide for the addition or additions of certain lands to the Colonial National Monument in the State of Virginia.

Mr. BLAND. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. ZIONCHECK. I object, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ZIONCHECK. I object, Mr. Speaker.

THE HOMESTEAD NATIONAL MONUMENT OF AMERICA IN GAGE COUNTY, NEBR.

The Clerk called the next bill, S. 1307, to establish the Homestead National Monument of America in Gage County, Nebr.

Mr. LUCKEY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. ZIONCHECK. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ZIONCHECK. I object, Mr. Speaker.

ENFORCEMENT OF THE TWENTY-FIRST AMENDMENT

The Clerk called the next bill, H. R. 8368, to enforce the twenty-first amendment.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the "Liquor Enforcement Act of 1935."

SEC. 2. (a) Wherever used in this act the word "State" shall mean and include every State, Territory, and possession of the United States, unless otherwise specifically provided.

(b) As used in this act the word "vessel" includes every description of watercraft used, or capable of being used, as a means of transportation in water or in water and air; and the word "vehicle" includes animals and every description of carriage or other contrivance used, or capable of being used, as a means of transportation on land or through the air.

SEC. 3. (a) Whoever shall import, bring, or transport any intoxicating liquor into any State in which all sales (except for scientific, sacramental, medicinal, or mechanical purposes) of intoxicating liquor containing more than 4 percent of alcohol by volume are prohibited, otherwise than in the course of continuous interstate transportation through such State, or attempts so to do, or assist in so doing, shall: (1) If such liquor is not accompanied by such permit or permits, license or licenses therefor as are now or hereafter required by the laws of such State; or (2) if all importation, bringing, or transportation of intoxicating liquor into such State is prohibited by the laws thereof; be guilty of a misdemeanor and shall be fined not more than $1,000 or imprisoned not more than 1 year, or both.

(b) The definition of intoxicating liquor contained in the laws of any State shall be applied in order to determine whether anyone importing, bringing, or transporting intoxicating liquor into such State, or anyone attempting so to do, or assisting in so doing, is acting in violation of the provisions of this act.

SEC. 4. All intoxicating liquor involved in any violation of this act, the containers of such intoxicating liquor, and every vehicle or vessel used in the transportation thereof, shall be seized and forfeited. Such seizure and forfeiture, and the disposition of such property subsequent to seizure and forfeiture, or the disposition of the proceeds from the sale of such property, shall be in accordance with existing laws or those hereafter in existence relating to seizures, forfeitures, and dispositions of property or proceeds, for violation of the internal-revenue laws.

SEC. 5. No intoxicating liquor which, by the decree of any court of the United States, is ordered to be sold by the United States marshal, and no intoxicating liquor which has been summarily forfeited, shall be sold in any State, District, Territory, or possession of the United States, in violation of the laws of such State, District, Territory, or possession.

SEC. 6. The Secretary of the Treasury shall enforce the provisions of this act and of sections 238, 239, and 240 of the Criminal Code (18 U. S. C., secs. 388–390), as herein amended.

When engaged in enforcing or attempting to enforce the provisions of this act, or of sections 238, 239, and 240 of the Criminal Code, or of any law in regard to the manufacture, taxation, or

transportation of, or traffic in, intoxicating liquor, the Secretary of the Treasury, the Commissioner of Internal Revenue, and his subordinates and agents appointed for such purpose, and any other officer, employee, or agent of the United States, shall have the rights, privileges, powers, and protection now conferred or imposed upon the Secretary of the Treasury by the act approved March 3, 1927 (U. S. C., Supp. VII, title 5, secs. 281–281 (f)), or conferred or imposed on him or any other officer by any other law in respect of the taxation, importation, exportation, transportation, manufacture, possession, or use of, or traffic in, intoxicating liquor.

Regulations to carry out the provisions of this act shall be prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury.

SEC. 7. Section 238 of the Criminal Code (18 U. S. C., sec. 388), is amended to read as follows:

"Any officer, agent, or employee of any railroad company, express company, or other common carrier, who shall knowingly deliver or cause to be delivered to any person other than the person to whom it has been consigned, unless upon the written order in each instance of the bona fide consignee, or to any fictitious person, or to any person under a fictitious name, any spirituous, vinous, malted, or other fermented liquor or any compound containing any spirituous, vinous, malted, or other fermented liquor fit for use for beverage purposes, which has been shipped from one State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, into any other State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, or from any foreign country into any State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, shall be fined not more than $5,000 or imprisoned not more than 2 years, or both."

SEC. 8. Section 239 of the Criminal Code (18 U. S. C., sec. 389) is amended to read as follows:

"Any railroad company, express company, or other common carrier, or any other person who, in connection with the transportation of any spirituous, vinous, malted, or other fermented liquor, or any compound containing any spirituous, vinous, malted, or other fermented liquor fit for use for beverage purposes, from one State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, into any other State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, which prohibits the delivery or sale therein of such liquor, or from any foreign country into any such State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, shall collect the purchase price or any part thereof, before, on, or after delivery, from the consignee, or from any other person, or shall in any manner act as the agent of the buyer or seller of any such liquor, for the purpose of buying or selling or completing the sale thereof, saving only in the actual transportation and delivery of the same, shall be fined not more than $5,000 or imprisoned not more than 1 year, or both."

SEC. 9. Section 240 of the Criminal Code (18 U. S. C., sec. 390) is amended to read as follows:

"Whoever shall knowingly ship or cause to be shipped from one State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, into any other State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, or from any foreign country into any State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, any package of or package containing any spirituous, vinous, malted, or other fermented liquor, or any compound containing any spirituous, vinous, malted, or other fermented liquor fit for use for beverage purposes, unless such package be so labeled on the outside cover as to plainly show the name of the consignee, the nature of its contents, the quantity contained therein, and the percentage of alcoholic content by volume of such liquor or compound, shall be fined not more than $5,000 or imprisoned not more than 1 year, or both; and such liquor shall be forfeited to the United States, and may be seized and condemned by like proceedings as those provided by law for the seizure and forfeiture of property imported into the United States contray to law."

SEC. 10. Section 5 of the act entitled "An act making appropriations for the Post Office Department for the year ending June 30, 1918" (39 Stat. 1069; 18 U. S. C., sec. 341), as amended, is hereby repealed.

SEC. 11. Nothing contained in this act shall repeal any other provisions of existing laws except such provisions of such laws as are directly in conflict with this act.

SEC. 12. If any provision of this act, or the application thereof to any person or circumstances, be held invalid, the remainder of the act, and the application of such provision to other persons or circumstance, shall not be affected thereby.

SEC. 13. This act shall be effective as of the thirtieth day following the date of its enactment.

With the following committee amendments:

On page 5, line 9, strike out "$5,000" and insert "$1,000"; and on page 5, line 10, strike out "2 years" and insert "1 year."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF BANKRUPTCY ACT

The Clerk called the next bill, S. 1425, to amend section 80 of chapter 9 of an act to amend the act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898.

Mr. TABER. Mr. Speaker, reserving the right to object, is not this the same bill that was passed by the House about a month ago?

The SPEAKER. The Chair is not informed about that. This is a Senate bill.

Mr. TABER. There was a similar bill considered at that time, to which I objected. Then my objection was withdrawn later on in the same afternoon and the bill considered and passed. Unless someone is informed otherwise, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

INSPECTION OF MOTOR VESSELS

The Clerk called the bill (S. 2001) to amend section 4426 of the Revised Statutes of the United States, as amended by the act of Congress, approved May 16, 1906.

Mr. BLAND. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. WOLCOTT. Reserving the right to object, I want to ask the gentleman if it is possible that the committee will agree upon a bill along this line?

Mr. BLAND. I am unable to answer that question.

The SPEAKER. Is there objection to the request of the gentleman from Virginia that the bill be passed over without prejudice?

There was no objection.

BOARD OF REGENTS SMITHSONIAN INSTITUTION

The Clerk called Senate Joint Resolution 118 providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Reserving the right to object, this is the first time this has been on the Consent Calendar. This is numbered 375. I would like to ask the Chair how it got on the calendar?

The SPEAKER. The Chair is informed that this joint resolution was indefinitely postponed and later the gentleman from Illinois [Mr. KELLER] asked unanimous consent that the proceedings be vacated and the joint resolution restored to the calendar. That request was granted and the joint resolution was restored to the calendar by the order of the House.

Is there objection to the consideration of the joint resolution?

There was no objection.

The Clerk began the reading of the joint resolution.

Mr. COSTELLO. I ask that the further reading of the joint resolution be dispensed with.

The SPEAKER. Is there objection?

There was no objection.

The joint resolution is as follows:

Resolved, etc., That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, caused by the expiration of the term of Irwin B. Laughlin, on January 21, 1935, be filled by the appointment of Roland S. Morris, a citizen of Pennsylvania, for the statutory term of 6 years.

Mr. COCHRAN. Mr. Speaker, I move to strike out the last word, and ask unanimous consent to revise and extend my remarks.

Mr. ZIONCHECK. I object. There is no last word. The joint resolution has not been read.

The SPEAKER. Further reading of the joint resolution was dispensed with.

Mr. ZIONCHECK. The regular order.

Mr. COCHRAN. I moved to strike out the last word, the amendment, and have been recognized by the Speaker. I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

Mr. COCHRAN. This should satisfy the gentleman from Washington, that I am now proceeding in order.

The SPEAKER. The gentleman from Missouri is recognized for 5 minutes.

Mr. COCHRAN. Mr. Speaker, tomorrow omnibus claims bills will be entitled to consideration under the Private Calendar rule.

An omnibus bill contains numerous individual bills. The bills can only be reported after two or more Members have objected to their consideration when originally placed on the Private Calendar and the bills have been recommitted to the committee.

The calendar shows we have seven omnibus bills ready for consideration. I have gone over the bills and reports and I find many meritorious bills included, but at the same time I likewise find many others which I do not feel Congress should pass.

The parliamentary situation Tuesday will be such I might not have an opportunity to present my views on some of the bills; therefore, I am placing this statement in the RECORD so that Members will have an opportunity to see just what they are requested to pass.

Three bills come from the War Claims Committee, two from the Claims Committee, one from the Committee on Foreign Affairs, and one from the Committee on the Public Lands.

The danger in providing for omnibus claims bills is that so many Members have individual bills included in the omnibus bills that in order to get their own bill enacted into law they might support other bills which, if considered individually, they would under no circumstances vote for.

As I say, there are many meritorious bills included in the omnibus bills; but are we to let measures that have been turned down time and again, not only by Congress but by Government agencies that were duly authorized to consider them, pass simply because we have a bill included in an omnibus bill? In one of the bills I have a claim that I think should be paid. It provides for the payment of $415 to a motor-car company in my city. This company sold a car on time and purchaser used it to carry liquor, was caught, and the Government sold the car and placed the money in the Treasury. The amount represented the sum that the purchaser had not paid the company. This company took the matter to court, but it was too late, the money was in the Treasury. I think that bill should be passed, but I am going to vote against the omnibus bill because there are other bills in that measure which I do not think should be passed.

There are bills to reimburse private citizens whose relatives were killed or injured accidentally by Government officials. Those bills should be passed. I have one myself before the committee where a Federal agent staged a raid on a home in St. Louis stating he had information that gangsters lived there. When not immediately admitted someone fired through the door and killed a woman sleeping in bed. The people were very poor. Had the Federal agent told our chief of police or chief of detectives why he wanted to raid this house they could have told them they received the same tip a year before, but when they investigated no gangsters were found in that home. It was a Federal raid in charge of a Federal agent, and, of course, that family should be reimbursed by the Government. My bill is still pending before the committee, as the Department has asked that it be held up until the Federal agent is tried in the Federal court. Regardless of the outcome of that case this family should be reimbursed, because the Federal agents staged the raid, and the woman was killed during the raid, regardless of who fired the shot.

Mr. Speaker, I submit, much as we would like to see private claims bills that we are interested in passed we should not cast a vote for an omnibus bill if that bill contains relief measures that under no circumstances should be passed.

We hear much about balancing the Budget. The executive branch can never balance the Budget if we continue to pass private claims bills which department heads say have no merit.

I propose to briefly refer to some of the claims that I object to and which I think should never be enacted into law.

Included in an omnibus bill—H. R. 8236—from the War Claims Committee is a resolution giving jurisdiction to the Court of Claims to consider the claim of A. J. Peters Co., Inc. This is an innocent-looking resolution, but investigation discloses this firm, both as a prime and a subcontractor, had trouble with the War Department during the World War because it was discovered it shipped hay of a most inferior quality and not in accordance with the terms of agreement. While criminal proceedings were not sustained, papers seized by Department of Justice agents showed the firm deliberately changed inspection reports showing a higher grade of forage than was actually shipped. While the amount involved cannot be ascertained, it is certainly above $31,000 and possibly will run much higher. Back in 1930 the Secretary of War notified Congress the Government would be at a great disadvantage were it required to defend itself in a suit at that time, which clearly indicates it could not defend itself now. The resolution should not be passed.

A second bill in this omnibus bill names $1,200,000 to be paid to various employees, their heirs or assigns, of a number of machinery, steel, and foundry corporations located in Minnesota. The employees were engaged in the manufacture of munitions and attorneys made claims for additional compensation. Secretary Weeks and Secretary Baker, both of the War Department, held that the War Trade Board should consider the claims, but nothing came of it. Now, 15 years later, Congress is asked to pass the bill. Secretary of War Hurley in 1930, in a long report, held there is no obligation on the part of the Government to pay the claims. This bill is not for the Court of Claims to consider the claim, but the Secretary is authorized and directed to pay.

A third claim several years ago passed the Congress and was vetoed by President Roosevelt. It provides for the payment of $3,000 to reimburse St. Ludgers Church, of Germantown, Mo., for occupation and damage caused by Government troops during the Civil War. I considered this bill a legitimate claim and voted for it, but in view of the fact that President Roosevelt once vetoed it why should it be sent back to him again.

The fourth claim is one of the Velie Motors Corporation for machine-gun carts furnished during the war. The contract was for $866,950, and this less a deduction of about $2,500 for penalties for delay in completing the contract was paid. Later the company made claim for $4 extra for each cart, or a total of $37,816. The War Department considered the claim, rejected it, and holds that the company had ample time to go to court if it desired but failed to do so. Now comes the attorney and wants the statute of limitations set aside. The Government would have trouble defending the case at this time on account of the elapsed time and would have difficulty in locating witnesses so the War Department recommends that the bill not pass. Nothing has ever been presented to show the Government did not treat this corporation fairly. In fact, the penalty was over $7,000 but $5,000 of that amount was refunded.

The last title of this bill provides for sending the claim of the A. C. Messler Co. to the Court of Claims. Repeatedly denied by the War Department Claims Board it was suggested back in 1920 the company could then file suit in the Court of Claims, but the company did not take advantage of its legal rights. The claim is for $16,378.68, which the company maintains should have been added to the amount it received on a contract for 15,000,000 cartridge clips. The claim was made that the Government should have delivered 29,000 pounds of metal more than it did to make up for scrap. The War Department holds it carried out its contract and it would now be unfair to the Government to require it at this late date to defend its contention.

The company had the right to go to court when the facts could have been properly presented but now with witnesses for the Government dead and addresses unknown the Government would be at a disadvantage if such a bill were passed.

In omnibus House bill 8524 from the Committee on War Claims: The report says four bills are to refer cases to the Court of Claims. There are four other old war claims which

total about $41,000. One for $9,000 grows out of a garbage contract which the War Department holds the Government fulfilled. The original claim was for $33,000. The contract contained a cancelation clause. The claimant holds large quantities of garbage that he should have had were stolen or diverted. His loss, he claims, was due to the fact that he did not get sufficient garbage to fatten the hogs that he had purchased. The War Department held the Government never guarantees to keep sufficient soldiers in a camp simply to provide garbage for a contractor to feed hogs. There is no merit to this claim.

A second case, that of the Southern Products Co., was decided unfavorably by the War Department and its contention sustained by the Court of Claims. The bill authorizes and directs the Treasurer to pay this company $13,000. It likewise is a war claim.

The claim of Fred G. Clark Co. for $13,000 likewise was rejected by the War Department, and the Court of Claims sustained the decision, but Congress is now asked to pay this war claim which was for furnishing supplies.

The fourth claim in this bill to pay direct from the Treasury is for the cancelation of a lease held by P. Shipley Saddlery & Mercantile Co., at Camp Funston. The original claim was for $17,000 and the bill authorizes payment of $11,902. The report shows the War Department considered this claim allowed and paid $3,579. The War Department strongly opposes payment of the claim.

The request to authorize suit against the Government by the United Shipping & Trading Co., against the Government, growing out of a collision at sea in 1918, involves $85,000. Each Secretary of War for the past 15 years has recommended against the passage of the bill.

The claim of David A. Wright is a war claim. He desires to be paid for rehabilitating a tool factory. The Court of Claims heard this case and denied the petition, but still this bill is to resubmit the case. The War Department and Department of Justice is opposed to the bill. The amount involved is not set forth in the report nor in the bill but it is undoubtedly very large.

The case of the Southern Overall Co. has been before Congress for at least 8 years. On every occasion the War Department recommends against favorable action. About six Government agencies, including the Comptroller, has considered the claim and held the Government not liable. The amount involved is $6,000, growing out of a contract for overalls.

H. R. 8664 is an omnibus bill from the Foreign Affairs Committee. Two bills seek to reimburse State Department officials for the loss of personal property due to an earthquake in Nicaragua in 1931. One is for $25,215.50, another for $1,006.82.

Are we not treading on dangerous ground when we pass such legislation? It is admitted the men were on duty there. Suppose there was an earthquake that destroyed all the personal property of several hundred Army officers and thousands of enlisted men on duty at a camp. If we pass those bills we would be justified in reimbursing the officers and enlisted men. Then, again, if one of our battleships was lost at sea and the personnel of, say, 1,500 officers and men were saved but lost their personal property, could we deny them relief if we pass this bill? Is the Treasury of the United States to be held responsible for an act of God? What are insurance companies for?

The bill to permit the Delaware Bay Ship Building Co. to enter suit against the Government is strongly opposed by the Treasury Department, which holds it was the duty of this company to properly protect its property. The damage was the result of a collision with a Coast Guard vessel. The Government department holds there is no reasonable ground for holding the Government responsible but, on the contrary, holds the corporation is responsible to the Government for the damage to the Government vessel.

In the claim of G. Elias & Bro., Inc., for $24,139.28, the War Department holds the specifications were not changed, and the claim of this corporation was denied by the Comptroller. That should end it.

The claim of Fred Herrick for $50,000 is one that I would support. I base this conclusion on the committee report.

The claim of the Wales Packing Co. for $100,000 results from a favorable decision of the Court of Claims. However, it originated before any Member of this House was ever elected to Congress.

The claim of George Lawley & Son Corporation for the construction of two torpedo boats was referred to the Court of Claims. The court said, under "Conclusion of law":

> Upon the foregoing special findings of fact, which are made part of the judgment herein, the court decides as a conclusion of law that the plaintiff is not entitled to recover, and its petition is dismissed. Judgment is rendered against the plaintiff for the cost of printing the record herein, the amount thereof to be ascertained by the clerk, and collected by him according to law.

Will the Congress ignore this finding? If it does, the court points out another case of a similar nature—the Union Iron Works case.

Let me point out the report says the loss was found by the Court of Claims, but while the court might have found there was a loss the conclusion of law referred to held the plaintiff was not entitled to recover from the Government. Do not be misled by that part of the report which states the court agreed there was a loss.

There are in this bill numerous cases where it is provided to pay certain claimants or to refer their cases to the Court of Claims growing out of payment of taxes, and so forth, which cannot now be paid due to the statute of limitations, and so forth.

It has long been the established policy of Congress by its action on similar bills to refuse to act favorably on such legislation, no matter how meritorious the claim might be. I have had several such claims where the Treasury admitted an overpayment, but the relief bills were never passed.

The Treasury repeatedly has held—

> The position which this Department has taken and which Congress has sanctioned is that it is a sound policy to have statutes of limitation and that the policy upon which statutes are based must be adhered to, notwithstanding hardship in particular cases.

Then, again, I quote from a Treasury report:

> The Treasury Department has consistently opposed the enactment of special legislation designed to remove the bar of limitations on refunds as unfair to other taxpayers with equally meritorious claims.

One dislikes to deny a taxpayer money illegally paid or money due as an overpayment of income and other taxes, but to open the door would mean claims involving hundreds of millions of dollars. Then again some attention must be paid to the position the Government finds itself in. In making audits the Government has found where money is due, but it cannot collect because of the statute of limitations. This likewise involves hundreds of millions of dollars. It is only in fraud cases where the Government can go beyond the statute of limitations.

In H. R. 9054 will be found the claim of John L. Alcock & Co., for damages growing out of the cancelation of a contract. The amount involved is $195,230.62. The committee has stricken out that part which included interest from April 6, 1918.

The report shows the contention of the War Department is assailed by the committee. The War Department says in part:

> If the relief be granted it is believed such action would constitute a precedent too dangerous to even contemplate, as it would open up untold tens of thousands of claims of a like nature, for the reason that during the war the Government not only requisitioned ships which were under contract and charter at the time of their requisition, but undertook the control of wheat, sugar, coal, and other commodities of almost every nature, thereby rendering impossible the execution of previous contracts respecting these commodities, and took over steel mills, railroads, shipyards, telephone and telegraph lines, the capacity output of factories and other producing activities. If this bill should be enacted into law it is the opinion of this Department that it will inevitably result in a stampede and gold rush in the nature of claims upon the Government in comparison with which the Klondike gold rush would appear as a solo affair. If this should be passed it is difficult to understand why, in principle, every soldier who was drafted into the military service would not have an equally meritorious claim against the Government for a special act of Con-

gress for relief to compensate him for the difference between his meager Army pay and the pay, salary, or earnings he was receiving in civil life.

It seems to me, in view of such a statement from the present Secretary of War, Congress should give more than ordinary consideration to this proposed legislation and defeat the bill.

The claim of Henry W. Bibus and others grows out of the purchase of land for use by the Government during the war, for which the claimants were paid $472,250.30. There are 11 claimants, and all but 2 received the option price. In one instance the compromise was $5,000 less, and in the other the same amount. In four cases the Government paid more than the option price. The report shows the Government spent millions for improvements. It converted the land into highly desirable industrial property by reason of the expenditure in excess of $6,000,000. Now the former owners want the Congress to pass a bill that might result in their securing the amount between the purchase price and the sale price—over a million dollars. The War Department is opposed to the bill, and the Congress should defeat it.

In direct contrast to this recommendation is the bill for the relief of the Western Electric Co., Inc., which originates with the War Department. This in itself is evidence that the Department is fair, because it admits the Government is obligated, prepares the bill, submits it to the Congress, and asks for its passage.

The bill for the relief of Teresa de Prevost has been pending for many years and grows out of the so-called Alsop award of July 4, 1911, made by the King of Great Britain as arbitrator.

Mrs. de Prevost maintains this money should be paid to her by the Government because of alleged irregularities in the distribution through the State Department to claimants under the Alsop award. The United States Government held the Government of Chile was liable to the United States, acting for certain named persons and their heirs. The King of Great Britain was named as arbitrator, and he decided in favor of the United States. The contentions of the claimant indicate a former Assistant Solicitor of the State Department resigned after the award had been made and within a few days entered the case as an attorney. If the allegations of Mrs. de Prevost are true, then the Assistant Solicitor of the State Department was guilty of unethical conduct, to say the least. This lady has spent many years around the Capitol in an effort to secure the passage of an act to reimburse her. The case is so involved I do not intend to even advance an opinion, but I do say the letter of the State Department which is referred to by the attorneys of Mrs. de Prevost should have been included in the report by the committee. The attorney's answer is printed but the Department's letter is missing. Further, if this bill is now passed, the money, as I understand it, will come out of the Treasury of the United States, as the money collected on the claim has long since been disbursed.

Omnibus House bill 9112 comes from the War Claims Committee. The first bill is to remove the statute of limitations so far as it applies to the linters claim of the Rowesville Oil Co. arising out of a contract it had with the Government in 1919. The Judge Advocate General of the War Department indicates that at this time, with incomplete records, the Government would be at a great disadvantage in defending this suit if the bill was passed. Further, while the plaintiff made a plea at the time of cancelation of contract that it feared bankruptcy, the Judge Advocate General says:

> As a matter of fact, the plaintiff did not fail. Like all industries connected with the manufacture of munitions, the plaintiff made great profits as a result of the war.

The company did not protest the cancelation clause at the time the contract was made. When the war ended there was no further use for buying linters used in the manufacture of explosives, and the cancelation clause was in all such contracts so the Government would be protected when it no longer needed the explosives. The amount involved is not indicated by the report or bill. It might be pertinent to say, however, there are now before the Court of Claims cotton linters claims amounting to over $6,000,000.

The second bill is for the Farmers Storage & Fertilizer Co., and is similar to the Rowesville Oil Co. bill.

In this omnibus bill is also a measure ordering the Secretary of the Treasury to pay Walter W. Johnston $5,495. This man never had a contract with the Government, but claimed he was promised $50,000 if appliances owned by him were successful in launching ships for the Emergency Fleet Corporation and Shipping Board. He claimed that W. C. McGowan, district supervisor in the Jacksonville district, made the agreement. After his claim was denied by the Corporation he filed suit in the Court of Claims. Mr. McGowan died in November 1918. The Court of Claims gave judgment in the sum of $20,000, less a credit of $5,495 representing salary the court found had been paid the plaintiff by a private ship corporation where a number of vessels were launched.

The net judgment was paid by the Government. It amounted to $14,505 and was paid September 6, 1930. This certainly should dispose of the claim. The bill seeking further reimbursement should be defeated.

The bill to pay Ella B. Kimball, daughter and heir of Jeremiah Simonson, is a Civil War claim. It provides for payment of $16,441.81 for furnishing supplies and labor in the construction of the U. S. S. *Chenango*. The findings of the court were submitted in 1907, but all efforts to collect the money by an act of Congress have failed, as have hundreds if not thousands of other Civil War claims.

The claim of Joseph G. Grissom of $1,153.43 is another Civil War claim. This was to cover a period between the time he was commissioned by a Governor and actual date of muster in. One hundred and sixty-three such claims passed the House but were rejected by the Senate. This is the first time since 1914 this claim has been reported by a House committee.

It might be proper to recall here that in 1914 the last omnibus claims bill, including Civil War claims, was passed. At that time the late Oscar Underwood submitted an amendment which was adopted and became law, which provided that thereafter the Court of Claims should have no further jurisdiction in claims growing out of the War of the Rebellion. I distinctly remember this amendment, as I was at that time a secretary to a Representative in Congress.

The claim of George B. Marx grows out of an informal contract to make 200 wire carts for the Signal Corps in 1918. The War Department canceled the order on November 9, 1918, later considered the claim, and paid Marx $139,876.86. Marx claims $76,574.12. The committee, despite the objections of the War Department in the Seventy-first Congress, recommended Marx be paid $58,259.02. The bill was defeated. Now it is proposed to refer the case to the Court of Claims. The Government should not be required to defend such a suit.

The claim of T. D. Randall grows out of a war contract. The contractor holds he had options for hay to fill a contract for 3,600 tons at $14 per ton. He contends that owing to a car shortage he could not close the options and was forced to pay from $20 to $25 a ton for the hay. It has been repeatedly held that once a contract has been made it cannot be changed to the disadvantage of the United States. Why should the Government be put to the expense of defending such a suit in the Court of Claims at this late date?

The two bills in the omnibus bill from the Public Lands Committee refer the claims to the Court of Claims. It is alleged the claimants were damaged by reason of the patenting of certain lands in the State of Washington to another person and by the cutting of timber from such lands. There is absolutely nothing in the report that gives any information that would enable Members to intelligently consider the bill.

The reason I find it necessary to make this reference to various bills is that under the rule only 5 minutes is allowed for and against each claim unless an amendment or amendments are offered. I hope Members will prepare amendments so we can thoroughly discuss the merits of this legislation.

No omnibus bill should be passed without a roll call. The legislation is too important.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLAIMS OF SUBCONTRACTORS AND MATERIALMEN FOR CONSTRUCTION OF POST OFFICE AND COURTHOUSE, RUTLAND, VT.

The Clerk called the next bill, S. 37, authorizing the Comptroller General of the United States to settle and adjust the claims of contractors and materialmen for material and labor furnished in the construction of a post-office and courthouse building at Rutland, Vt.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ZIONCHECK. Mr. Speaker, I object.

FORT FREDERICA NATIONAL MONUMENT, GA.

The Clerk called the next bill, H. R. 8431, to provide for the establishment of the Fort Frederica National Monument at St. Simon Island, Ga., and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ZIONCHECK. Mr. Speaker, I object.

Mr. DEEN. Will the gentleman reserve his objection?

Mr. ZIONCHECK. I will reserve the objection for the gentleman from Georgia at any time.

Mr. DEEN. Mr. Speaker, I should like to call the attention of the gentleman from Washington to the report of the Secretary of the Interior on this bill. The Secretary approves the bill, and the report says the Director of the Budget approves the bill. It does not call for an additional appropriation. I should also like to say to the gentleman that the money necessary to put this bill into operation is in P. W. A. funds. It will not require more than $75,000 or $100,000. I hope the gentleman will withdraw his objection and let this bill pass.

Mr. COSTELLO. Will the gentleman yield?

Mr. DEEN. I yield.

Mr. COSTELLO. Can the gentleman tell us what the estimated annual maintenance of this park will be?

Mr. DEEN. Approximately $12,000, as indicated by the Department.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ZIONCHECK. Mr. Speaker, I object. I want to say if anyone could get a bill like this passed, the gentleman from Georgia [Mr. DEEN] could.

INDIAN CLAIMS COMMISSION

The Clerk called the next bill, H. R. 7837, to create an Indian Claims Commission, to provide for the powers, duties, and functions thereof, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TABER. Mr. Speaker, I object.

Mr. O'MALLEY. Will the gentleman withhold his objection?

Mr. WOLCOTT. Mr. Speaker, I object.

Mr. O'MALLEY. Mr. Speaker, I ask unanimous consent that this bill be allowed to go over without prejudice for the reason that there is a similar Senate bill now before our committee, and our committee has not had a chance to hold hearings on the bill. The Senate bill is somewhat different. So, I ask that this bill go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

Mr. WOLCOTT. Reserving the right to object, I cannot see how the status of this bill would be changed by consideration by the committee of a similar Senate bill. I am opposed to the principle of this bill, and I probably will be opposed to the principle of the Senate bill. For that reason I object to the request, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I object.

Mr. TABER. Mr. Speaker, I object.

Mr. COCHRAN. Mr. Speaker, I object.

CLAIMS OF SUBCONTRACTORS AND MATERIALMEN FOR CONSTRUCTION OF POST-OFFICE BUILDING AT HEMPSTEAD, N. Y.

The Clerk called the next bill, S. 2647, authorizing the Comptroller General of the United States to settle and adjust the claims of subcontractors and materialmen and laborers for material and labor furnished in the construction of a post-office building at Hempstead, N. Y.

The SPEAKER. This bill requires three objections. Is there objection?

Mr. ZIONCHECK, Mr. CLAIBORNE, and Mr. YOUNG objected.

ADMISSION OF CERTAIN ALIEN WIVES OF AMERICAN CITIZENS

The Clerk called the next bill, H. R. 7975, to permit alien wives of American citizens who were married prior to the approval of the Immigration Act of 1924 to enter the United States.

The SPEAKER. This bill requires three objections. Is there objection to the present consideration of the bill?

Mr. JENKINS of Ohio. Reserving the right to object, and I do not intend to object, although I have objected heretofore, for the reason that I wanted to investigate this bill. I think the bill is of sufficient importance that I be permitted to make a statement for one-half minute, to this effect, that under the present law an American citizen may bring his Chinese wife into the United States, under circumstances provided in this bill, but an American citizen may not bring in his Japanese wife. All this bill does is simply put them on a parity. I think that should be done, and for that reason I withdrawn any objection that I have heretofore made.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That part (4) of subdivision c of section 13 of the Immigration Act of 1924, as amended by an act of June 13, 1930, shall be amended to read as follows: "or (4) is the alien wife of an American citizen who was married prior to the approval of the Immigration Act of 1924, approved May 26, 1924."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RESIDENCE REQUIREMENTS, NATURALIZATION LAWS

The Clerk called the next bill, H. R. 4900, to amend the naturalization laws in respect of residence requirements, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. JENKINS of Ohio. Reserving the right to object, just in order to make a statement. This is another immigration bill. Heretofore I have asked that it be passed over without prejudice, in order that we might familiarize ourselves with it, because of the complexity of the subject involved. I am glad to report that my investigations have convinced me that the bill does not materially change the immigration laws. Consequently I withdraw any objection I might heretofore have made.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the second paragraph of the fourth subdivision of section 4 of the Naturalization Act of June 29, 1906, as amended (U. S. C., Supp. III, title 8, sec. 382), is amended by striking out the period at the end thereof and inserting a comma and the following: "except that in the case of an alien declarant for citizenship employed by or under contract with the Government of the United States or an American institution of research recognized as such by the Secretary of Labor, or employed by an American firm or corporation engaged in whole or in part in the development of export trade from the United States or a subsidiary thereof, no period of residence outside the United States shall break the continuity of residence if (1) prior to the beginning of such period (whether such period begins before or after his departure from the United States) the alien has established to the satisfaction of the Secretary of Labor that his absence from the United States for such period is to be on behalf of such Government, or for the purpose of carrying on scientific research on behalf of such institution, or to be engaged in the development of such export trade or whose residence abroad is necessary to the protection of the property rights in such coun-

tries of such firm or corporation, and (2) such alien proves to the satisfaction of the court that his absence from the United States for such period has been for such purpose."

SEC. 2. No period of residence outside the United States during the 5 years immediately preceding the enactment of this act shall be held to have broken the continuity of residence required by the naturalization laws if the alien proves to the satisfaction of the Secretary of Labor and the court that during all such period of absence he has been under employment by, or contract with, the United States, or such American institution of research, or American firm or corporation, described in section 1 hereof, and has been carrying on the activities described in this act in their behalf.

Mr. BLOOM. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BLOOM: On page 2, line 2, after the word "of", strike out the words "export trade from" and insert "foreign trade and commerce of"; page 2, line 11, after the word "such", strike out "export trade" and insert "foreign trade and commerce."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS TENNESSEE RIVER AT DAYTON, TENN.

The Clerk called the next bill, H. R. 8586, granting the consent of Congress to the State of Tennessee and certain of its political subdivisions to construct, maintain, and operate a toll bridge across the Tennessee River at or near a point between Dayton and Decatur, Tenn.

Mr. HOLMES. Mr. Speaker, reserving the right to object, and I will not object, I want to call the attention of the House to the fact that this bill was incorporated in the omnibus bill which was passed in the last session of Congress and is now a law.

I ask unanimous consent, therefore, that this bill may be laid on the table.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that the bill be laid on the table. Is there objection?

There was no objection.

FIVE CIVILIZED TRIBES

The Clerk called the next bill, H. R. 8787, to amend section 3 of the act approved May 10, 1928, entitled "An act to extend the period of restriction in lands of certain members of the Five Civilized Tribes, and for other purposes", as amended February 14, 1931.

Mr. ROGERS of Oklahoma. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 3227, be substituted for the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 3 of the act of May 10, 1928, entitled "An act to extend the period of restriction in lands of certain members of the Five Civilized Tribes, and for other purposes", as amended February 14, 1931, be amended to read as follows:

"SEC. 3. That all materials, including oil and gas, produced on or after April 26, 1931, from restricted allotted lands of members of the Five Civilized Tribes in Oklahoma, or from inherited restricted lands of full-blood Indian heirs or devisees of such lands, shall be subject to all State and Federal taxes of every kind and character the same as those produced from lands owned by other citizens of the State of Oklahoma; and the Secretary of the Interior is hereby authorized and directed to cause to be paid, from the individual Indian funds held under his supervision and control and belonging to the Indian owners of the lands, the tax or taxes so assessed against the royalty interest of the respective Indian owners in such oil, gas, and other mineral production: *Provided*, That nothing in this act shall be construed to impose or provide for double taxation and, in those cases where the machinery or equipment used in producing oil or other minerals on restricted Indian lands are subject to the ad valorem tax of the State of Oklahoma for the fiscal year ending June 30, 1931, the gross production tax which is in lieu thereof shall not be imposed prior to July 1, 1931: *Provided further*, That in the discretion of the Secretary of the Interior, the tax or taxes due the State of Oklahoma may be paid in the manner provided by the statutes of the State of Oklahoma."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider and a similar House bill (H. R. 8787) were laid on the table.

EMPLOYMENT OF SKILLED SHORTHAND REPORTERS IN EXECUTIVE BRANCH OF THE GOVERNMENT

The Clerk called the next bill, H. R. 4886, providing for the employment of skilled shorthand reporters in the executive branch of the Government.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ZIONCHECK. Mr. Speaker, I object.

BOARD OF SHORTHAND REPORTING

The Clerk called the next bill, H. R. 4887, to create a board of shorthand reporting, and for other purposes.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. ZIONCHECK. Mr. Speaker, I object.

CONSTRUCTION OF BUILDINGS FOR POST-OFFICE USE

The Clerk called the next bill, H. R. 4672, to provide for the purchase or construction of buildings for post-office stations, branches, and garages, and for other purposes.

Mr. LANHAM. Mr. Speaker, I ask unanimous consent that the bill H. R. 10772, which is No. 551 on the calendar, be considered in lieu of this measure. It relates to the same matter and is a subsequent bill introduced and reported to correct errors in the former bill, providing for a reduction of expense, and also conforming to the Ramseyer rule.

Mr. TABER. Mr. Speaker, reserving the right to object, will the gentleman explain what this last bill does?

Mr. LANHAM. Mr. Speaker, this bill was introduced by the gentleman from New York [Mr. MEAD], for the purpose of saving money for the Government in the operation of various branches and garages. The gentleman from Illinois [Mr. DOBBINS], a member of the Committee on the Post Office and Post Roads, can give the gentleman from New York more specific information as to the particular conditions this bill seeks to correct. I should like to yield to the gentleman from Illinois for the purpose of replying to the gentleman from New York.

Mr. DOBBINS. Mr. Speaker, the only purpose of this bill, I may say for the information of the gentleman from New York and of the Members of the House, is to amend the general law, making it possible for the Government to erect branch post offices, stations, and garages in the same way it now has power to erect the main post-office buildings. It does not authorize construction in any specific instance, and the authority of Congress will still have to be given before an appropriation may be made for the purpose of constructing buildings.

The situation at present is this: A great many of those who have available buildings for these facilities of the post offices, understanding that the Post Office Department has no authority upon general law itself to erect buildings for the purpose, have been holding us up for high rents. A number of instances of this kind were brought to the attention of the special committee headed by our late colleague the gentleman from Pennsylvania, Mr. Kelly, who conducted a general investigation several years ago and found the abuses that were existing in this respect.

It seemed to me, and I think it seemed to the committee presided over by the gentleman from Texas [Mr. LANHAM] which considered this bill, that the way will be open for a considerable saving of money to the Government if this general authority could be given.

Mr. LANHAM. Will the gentleman yield?

Mr. DOBBINS. I yield to the gentleman from Texas.

Mr. LANHAM. May I say in this connection that it may not even be necessary for the Government to resort to the authority given by this bill, but in those cases where exorbitant rates are asked, the Government would, at least, have the protection of this authority. I understand there are several instances in which the Government is paying entirely too much money for services of this character. One such situation was called to my attention in which the annual rental, I think, was 15 or 20 percent of the value of the property being leased.

Mr. WOLCOTT. Will the gentleman yield?

Mr. DOBBINS. I yield to the gentleman from Michigan.

Mr. WOLCOTT. In order to keep the record straight, may I ask the gentleman from Texas to amend his request to provide that the bill, No. 451 on the calendar, be stricken and that the bill, No. 551 on the calendar, be considered at this point in lieu thereof?

Mr. LANHAM. Mr. Speaker, I adopt the request of the gentleman from Michigan. I ask unanimous consent that the bill, No. 451 on the calendar, be stricken and that the bill, No. 551 on the calendar, be substituted in lieu thereof.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. ZIONCHECK. Mr. Speaker, reserving the right to object, while we are on the question of garages, has the gentleman anything to do with the Senate garage here in Washington?

Mr. LANHAM. I have not.

Mr. ZIONCHECK. Well, there is an unwholesome condition existing down there. The Senators are using that garage for the storage of their clerks' cars, while a Member of Congress on this side cannot get in there at all. I think the situation ought to be looked into a little bit.

Mr. LANHAM. I will say to the gentleman that personally I have no jurisdiction over that matter.

Mr. ZIONCHECK. I do not care to go that far down, but once in a while when the weather gets bad a Member of Congress might want to shove his car in there for a while.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. THURSTON. Mr. Speaker, reserving the right to object, would it be the purpose under this bill to erect ornate garages in the large cities for the Post Office Department?

Mr. LANHAM. No. The only purpose is to protect the Government. Where a lease cannot be made at a reasonable price, the Government would have the authority, if it meant the considerable saving of money, to put up its own structure. There is no intention whatever to build ornate buildings. As a matter of fact, the whole purpose of the measure is economy.

Mr. THURSTON. I am sure the gentleman understands that in the smaller towns of the country they are erecting a type of architecture that might be compared with a cigar box, and I was wondering if it was the intention to do the same thing with these garages.

Mr. LUDLOW. May I ask the gentleman from Texas whether the Post Office Department is in favor of this bill?

Mr. LANHAM. Yes; the Post Office Department is in favor of the bill and the Treasury Department also, and they have requested such legislation for their own protection.

Mr. TAYLOR of Tennessee. Will the gentleman yield?

Mr. LANHAM. I yield to the gentleman from Tennessee.

Mr. TAYLOR of Tennessee. There is another argument that may be made in favor of this proposition, and that is it might be used as a threat to bring about an economical rental for private property.

Mr. LANHAM. That is really the primary purpose. We want to protect the Government in case a reasonable rental may not be had from private sources.

Mr. TAYLOR of Tennessee. That was my understanding when I voted to report this bill out of the committee.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first sentence of section 1 of the act entitled "An act to provide for the construction of certain public buildings, and for other purposes", approved May 25, 1926, as amended (U. S. C., 1934 ed., title 40, sec. 341), is hereby amended by inserting after the words "post offices" the following: "(including buildings for post-office stations, branches, and garages)."

Mr. LANHAM. Mr. Speaker, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. LANHAM: On page 1, line 7, strike out the words "post offices" and insert in lieu thereof the word "postoffice."

Mr. LANHAM. Mr. Speaker, the purpose of this amendment is merely to make the bill conform to the law as written at the present time. The word "postoffice" in the law is written as one word, and this is offered to make the bill conform with the present law.

Mr. JENKINS of Ohio. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, I am not opposed to the amendment, and I am not going to speak on it, but I am going to speak on another proposition which will come up with reference to bill numbered 479 on the calendar. When an immigration matter is being considered by the House under unanimous consent it is impossible to get sufficient time to discuss it intelligently. At the last call of the calendar I tried to discuss this bill and impress upon the Members in the few minutes I had at my disposal the importance and danger of the bill. My time was cut short because a demand for regular order was made at that time.

Mr. CHURCH. Mr. Speaker, I demand the regular order. The gentleman is not speaking on the amendment.

Mr. JENKINS of Ohio. Mr. Speaker, I prefaced my remarks with the statement that I was not going to speak on the amendment.

Mr. CHURCH. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman will continue and address himself to the amendment.

Mr. JENKINS of Ohio. Mr. Speaker, I prefaced my statement with the remark that I was not going to talk about the amendment. I think the gentleman should have objected at that time; but since he did not, and, as I understand it, he has the right to object at this time, I cannot continue.

The SPEAKER. The question is on the amendment offered by the gentleman from Texas.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS OHIO RIVER NEAR LOUISVILLE, KY.

The Clerk called the next bill, H. R. 8661, supplementing the act of Congress approved February 25, 1928, entitled "An act authorizing the city of Louisville, Ky., to construct, maintain, and operate a toll bridge across the Ohio River at or near said city."

Mr. HOLMES. Mr. Speaker, reserving the right to object, I find this bill was included in the omnibus bill which was passed at the last session of the Congress and is now law.

I therefore ask unanimous consent that the bill be stricken from the calendar and laid on the table.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

JURISDICTION OF BOUNDARY WATERS BETWEEN THE STATES OF WASHINGTON, OREGON, AND IDAHO

The Clerk called the joint resolution (S. J. Res. 23) giving consent of the Congress of the United States to the States of Washington, Oregon, and Idaho, or any two of said States, to agree upon the jurisdiction to be exercised by said States over boundary waters between any two or more of said States.

Mr. MOTT, Mr. WOLCOTT, Mr. McLEAN, and Mr. JENKINS of Ohio objected.

STATUTE OF LIMITATIONS ON FRAUDS AGAINST THE UNITED STATES

The Clerk called the next bill, H. R. 4451, to amend section 1044 of the Revised Statutes to provide a 10-year period of limitations on prosecutions for offenses involving frauds against the United States.

The SPEAKER. This bill requires three objections.

Mr. ZIONCHECK. I object, Mr. Speaker.

There being no further objections, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1044 of the Revised Statutes, as amended (U. S. C., Supp. VII, title 18, sec. 582), is hereby amended to read as follows:

"SEC. 1044. No person shall be prosecuted, tried, or punished for any offense, not capital, except as provided in section 1046, unless the indictment is found, or the information is instituted,

within 3 years next after such offense shall have been committed, except that, for offenses involving the defrauding or attempts to defraud the United States or any agency thereof, whether by conspiracy or not, and in any manner, the period of limitation shall be 10 years."

SEC. 2. The amendment made by section 1 of this act shall apply to offenses whenever committed, except that it shall not apply to offenses the prosecution of which was barred before the date of enactment of this act.

With the following committee amendments:

Page 2, line 3, strike out the word "ten" and insert the word "six"; and amend the title.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended and a motion to reconsider laid on the table.

NATURALIZATION AND CITIZENSHIP OF MARRIED WOMEN

The Clerk called the next bill, H. R. 7574, to amend an act entitled "An act relative to naturalization and citizenship of married women", approved September 22, 1922.

Mr. JENKINS of Ohio, Mr. WOLCOTT, Mr. McLEAN, and Mr. COSTELLO objected.

RESERVOIR SITES ON INDIAN IRRIGATION PROJECTS

The Clerk called the next bill, S. 2656, to authorize the Secretary of the Interior to grant concessions on reservoir sites and other lands in connection with Indian irrigation projects and to lease the lands in such reserves for agricultural, grazing, or other purposes.

Mr. TABER, Mr. WOLCOTT, Mr. JENKINS of Ohio, and Mr. RICH objected.

OLD-AGE PENSIONS FOR INDIANS OF THE UNITED STATES

The Clerk called the next bill, H. R. 9018, providing old-age pensions for Indians of the United States.

Mr. WOLCOTT, Mr. JENKINS of Ohio, Mr. TABER, and Mr. RICH objected.

SAN CARLOS APACHE INDIANS

The Clerk called the next bill, S. 2523, authorizing payment to the San Carlos Apache Indians for the lands ceded by them in the agreement of February 25, 1896, ratified by the act of June 10, 1896.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. COCHRAN. I object, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COCHRAN. I object to the consideration of the bill, Mr. Speaker.

Mr. ZIONCHECK. Mr. Speaker, will the gentleman withhold his objection? The gentlewoman from Arizona [Mrs. GREENWAY] is preparing some amendments and requests that this bill be passed over without prejudice out of special consideration for her, because of the exceptional circumstances involved in this particular bill.

Mr. COCHRAN. In view of the report I put in the RECORD 2 weeks ago, I cannot see how the House can pass this bill.

Mr. ZIONCHECK. I do not think it can either, but I think we ought to allow her this privilege.

Mr. COCHRAN. I will agree to withdraw my objection and let the bill go over without prejudice.

The SPEAKER. Is there objection to the bill being passed over without prejudice?

There was no objection.

SWAMP LANDS IN WISCONSIN

The Clerk called the bill (S. 3045) providing for the payment to the State of Wisconsin for its swamp lands within all Indian reservations in that State.

The SPEAKER. Is there objection?

Mr. TABER, Mr. BACON, and Mr. JENKINS of Ohio objected.

RELIEF OF GOVERNMENT CONTRACTORS

The Clerk called the bill (H. R. 7293) to amend the act approved June 16, 1934, entitled "An act to provide relief to Government contractors whose cost of performance were increased as a result of compliance with the act approved June 16, 1933, and for other purposes.

The SPEAKER. Is there objestion?

Mr. ZIONCHECK, Mr. WOLCOTT, and Mr. TABER objected.

NAVAL AIR STATION IN THE VICINITY OF MIAMI, FLA.

The Clerk called the bill (H. R. 8372) to authorize the acquisition of lands in the vicinity of Miami, Fla., as a site for a naval air station and to authorize the construction and installation of a naval air station thereon.

The SPEAKER. Is there objection?

Mr. RICH. Reserving the right to object, I want to ask the gentleman whether this bill was recommended by the Navy Department and whether they are interested in having it there?

Mr. WILCOX. Yes.

Mr. RICH. Have they made a recommendation, and for what purpose?

Mr. WILCOX. It is for training Reserves for aviation and other purposes.

Mr. RICH. What is it going to cost the Government?

Mr. WILCOX. Nothing; the city of Miami is giving it to the Government.

Mr. RICH. Why do they give it to the Government if it is not going to cost the Government anything?

Mr. WILCOX. The city is trying to comply with the desires of the Navy Department in order that they may have a proper base for training naval aviators.

I will say that some years ago Miami gave the Navy Department a similar tract, but that tract does not lie near the water. The Navy desires an additional tract on the water, and the city has an option on this land and expects to give it to the Federal Government without cost.

Mr. RICH. Every time you give the Government some land it is expected that the Government is going to keep it up. We passed a bill for the Everglades Park and said it would cost the Government nothing. Now they are asking to eliminate that feature of it and get money for maintenance.

Mr. WILCOX. I will be glad to explain that when that bill comes up.

Mr. RICH. Has the Naval Affairs Committee passed on this?

Mr. WILCOX. Yes; and the committee favors it unanimously.

The SPEAKER. Is there objection to the consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized to accept on behalf of the United States, free from encumbrances and without cost to the United States, the title in fee simple to such lands as he may deem necessary or desirable in the vicinity of Miami, Fla., approximately 650 acres, as a site for a naval air station to be returned to the grantor if not used by the United States for such purpose within 5 years; or, with the written approval of the President, to exchange for such lands existing naval reservations; or, if it be found impractical to secure the necessary lands by either of the aforesaid methods, to purchase the same by agreement or through condemnation proceedings.

SEC. 2. The Secretary of the Navy is further authorized to construct, install, and equip at said station such buildings and utilities, technical buildings and utilities, landing fields and mats, and all utilities and appurtenances thereto, ammunition storage, fuel and oil storage and distribution systems therefor, roads, walks, aprons, docks, runways, sewer, water, power, station and aerodrome lighting, telephone and signal communications, and other essentials, including the necessary grading and filling and the removal of existing structures and installations. He is authorized also to direct the necessary transportation of personnel, and purchase, renovation, and transportation of materials, as may be required to carry out the purposes of this act.

SEC. 3. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums of money as may be necessary to be expended under the direction of the Secretary of the Navy for the purposes of this act, including the expenses incident to necessary surveys, which appropriation shall continue available until expended: *Provided*, That the provisions of section 1136, Revised Statutes (U. S. C., title 10, par. 1339), shall not apply to the construction of the aforesaid stations and depots.

With the following committee amendments:

Page 1, line 7, after the word "desirable", insert the words "on North Biscayne Bay."

Page 2, strike out lines 2, 3, 4, 5, and 6 and insert the words "10 years."

Page 3, line 1, after the word "necessary", insert the word "development."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

The Clerk called the bill (H. R. 8293) to amend the Longshoremen's and Harbor Workers' Compensation Act.

The SPEAKER. Is there objection?

Mr. LAMNECK objected.

MONUMENT COMMEMORATING ENTRANCE OF FIRST STEAM RAILROAD INTO WASHINGTON, D. C.

The Clerk called the next business, House Joint Resolution 362, to authorize the selection of a site and the erection thereon of a suitable monument indicating the historical significance of the first entrance into the city of Washington of a steam railroad, and for other purposes.

The SPEAKER. Is there objection?

Mr. TABER, Mr. BACON, and Mr. WOLCOTT objected.

AMENDING EXECUTIVE ORDER NO. 6166

The Clerk called the next bill, H. R. 8316, to exempt the Indian Service within the State of Oklahoma from the requirements of section 4 of Executive Order No. 6166, dated June 10, 1933.

The SPEAKER. This bill requires three objections. Is there objection?

Mr. WOLCOTT. Reserving the right to object, I do not know as I have any particular objection to the merits of this bill, but I think it is rather presumptive of this Congress to amend an Executive order by the President. I am afraid we are establishing a rather dangerous(?) precedent to legislate contrary to the wishes of the President. In this particular case the President provided certain things by an Executive order which is numbered 6166. In other words, 6,166 Executive orders, at least, have been promulgated by the Executive, which do not appear as part of the statutory law of the land. I think I have no particular objection to this bill, but I merely want to call attention to the fact, especially to the Members on the Democratic side of the aisle, that we are now repealing Executive orders and not statutes passed by the Congress of the United States.

Mr. RICH. Will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Pennsylvania.

Mr. RICH. It may be a very fine thing for the Congress to assume its prerogative and knock out some of these Executive orders. I think that would be our duty.

Mr. ZIONCHECK. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. ZIONCHECK. The gentleman mentions that it would be a little presumptuous on the part of Congress to amend an Executive order. I may say that I even presumed to prepare an amendment to this Executive order. I want it to apply every place and not just to the State of Oklahoma.

Mr. WOLCOTT. The gentleman must answer for his own presumption or recklessness—I do not know which.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the disbursing functions of the Indian Service within the State of Oklahoma shall be exempted from the requirements of section 4 of Executive Order No. 6166, dated June 10, 1933, and shall continue to operate under the direction of the Commissioner of Indian Affairs.

With the following committee amendment:

Line 3, page 1, after the word "service", strike out "within the State of Oklahoma."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read as follows: "A bill to exempt the Indian Service from the requirements of section 4 of the Executive Order No. 6166, dated June 10, 1933."

A motion to reconsider was laid on the table.

REPLY TO SECRETARY WALLACE

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a radio address I delivered recently.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. TREADWAY. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address which I delivered recently over the radio:

I am indebted to the National Broadcasting Co. for this opportunity to reply to certain statements made by Secretary of Agriculture Wallace during the Farm and Home Hour on January 28. I refer particularly to his unwarranted and subversive charge that the Supreme Court's decision in the so-called Rice Millers case—by which it returned to processors the taxes impounded pending its determination of the constitutionality of the A. A. A.—was, to quote his exact words: "probably the greatest legalized steal in American history."

I am sure that every right-thinking American has a feeling of indignation at this slur on the Supreme Court. I unhesitatingly say that the charge is unjustified, and displays a gross lack on the part of the Secretary of the proprieties of an administrative official. Such a statement from one in high office can have no other purpose or effect than to reflect upon the integrity of the Court and its individual members, and encourage a disrespect for law and our American institutions. It was undoubtedly made with a view to arousing public opinion against a coordinate branch of the Government.

The Secretary's gratuitous insult to the Court was not uttered in a moment of pique (which might have been excusable) but was deliberate and considered. It was made 2 weeks after the Court's decision and was reiterated at a press conference following my statement on the floor of the House of Representatives that in my opinion he ought to be impeached or cited for contempt.

Secretary Wallace has never apologized for his intemperate allegation, nor has the President ever publicly reproved him for it. In his Lincoln Day address at Indianapolis the Secretary said he had nothing to retract. It is astonishing to me how the President can remain silent. We are left to conclude that the Secretary expressed the official viewpoint of the administration and spoke as well for the President as for himself. In this connection we may recall the President's own criticism of the Supreme Court's decision in the N. R. A. case, which he referred to as taking the country back to the horse-and-buggy days.

As if to justify his own remarks about the Supreme Court, Secretary Wallace, in his Indianapolis address of February 12, pointed out that Abraham Lincoln had once criticized the Court for its decision in the Dred Scott case. Of course, that is true, but as the Secretary himself stated in his address (I quote):

"Lincoln was reluctant, however, to join in the savage attacks of the extreme abolitionists, * * * for he cherished an abiding respect for the traditions of the Court and the ideals it was established to serve. * * * Lincoln's language, by contrast, was temperate and statesmanlike."

While it was perfectly proper for the Secretary to disagree with the Court's decision, if he saw fit, he might at least have followed Lincoln's example and used more temporate and statesmanlike language.

Let us analyze the situation that has brought about such an indiscreet and incorrect remark by Secretary Wallace. The basic and original trouble comes from a hasty and ill-considered policy of the administration, for which the Secretary was more responsible than any other man.

When the original Agricultural Adjustment Act was under consideration in Congress, grave doubts were expressed as to its constitutionality, both as regards Federal control over agriculture and the delegation to the Secretary of Agriculture of the power to impose processing taxes. Therefore, the administration was forewarned that the precise situation which now exists might come about. It knew that the constitutionality of the act was certain to be challenged, and that in the event of an unfavorable decision the processing taxes which had been illegally collected would have to be returned.

Cases involving the constitutionality of the A. A. A. have been pending in the courts for more than 2 years, and the administration has done nothing to expedite their consideration. Therefore, if a large accumulation of impounded processing taxes has resulted, it has only itself to blame.

The first case involving the validity of the A. A. A. to be decided by the Supreme Court was the so-called Hoosac Mills case, in which the Court denied the right of the Government to impose the tax on the ground that it was but part of an unconstitutional scheme to regulate agriculture. No question of a refund was involved in this case.

In the Rice Millers case, the processors applied to the Supreme Court for a temporary injunction to restrain the collection of the processing tax. The Court granted the injunction upon condition that the processors pay the amount of taxes in question to a depositary, to be impounded pending final determination of their legality. Subsequently, having held in the Hoosac Mills

case that the processing tax was an illegal exaction, the Court ordered the funds returned to the processors.

Let me quote the concluding words of the Court's opinion, as delivered by Mr. Justice Roberts, and concurred in by all nine of the justices. I quote:

"The exaction still lacks the quality of a true tax. It remains a means for effectuating the regulation of agricultural production, a matter not within the powers of Congress. * * * The decree of the district court will be vacated, an appropriate order entered directing the repayment to the petitioner of the funds impounded * * *", and so forth.

Certainly this language offers no basis for an accusation of stealing. Yet this is the decision which Secretary Wallace flippantly characterized as a "legalized steal." Such loose language is hardly to be expected from one occupying such a high position as the Secretary of Agriculture, who should carefully measure the accuracy of his words.

To steal means to take the property of another. If the Secretary means to convey the impression that the processing taxes ordered returned by the Court were stolen from the Government, he is in error, because they never were in the possession of the Treasury, nor did the Government at any time have a right to them. While the amount of the taxes was paid out by the processors, the payment, as I have pointed out, was only made to the Court pending its determination as to whether the Government or the processors were entitled to the money. Having held that the levy was not a true tax, but an unconstitutional exaction under the guise of taxation, the Court had no alternative but to return the money to the processors. Even the Justices who dissented in the Hoosac case agreed to that. Certainly the Secretary does not mean to charge them with being a party to a legalized steal.

Had the Court allowed the Government to retain the illegal taxes, it would be identical to permitting a wrongdoer to retain his loot. When the Government can levy all sorts of unconstitutional taxes, delay the litigation brought to test their legality, and then keep the money collected, even though the taxes are invalid, constitutional rights become absolutely meaningless.

If there was any "steal" involved in connection with the Rice Millers decision, it was perpetrated by Secretary Wallace himself when he first imposed the iniquitous and illegal processing taxes. He has been "robbing Peter to pay Paul"—"Peter", of course, being another name for the millions of consumers throughout the country who have been forced to shoulder a tremendously increased cost of living as a result of the billion or more dollars of processing taxes levied by him on bread, meat, cotton goods, and other necessities of life. Secretary Wallace himself, in his annual report for 1934, admitted that these taxes bore most heavily on the poorer people. That is where the "steal" comes in, and the Secretary is primarily responsible for it. His false accusation against the Supreme Court is but a smoke screen to divert attention from his own unconstitutional acts.

Let me now refer to the alleged unjust enrichment of the processors by reason of the decision to which Secretary Wallace takes exception. The Secretary baldly assumes that the processing tax, though levied on the processor, was in every case either passed on to the consumer or back to the producer. This, however, is not the truth. For example, in the textile industry, with which I am familiar, the processor in many instances was forced to absorb the tax himself, although it was just as much a part of the cost of production as raw materials, wages, and rent. The result has been that many textile mills have been unable to continue in business, and have closed their doors, throwing many men and women out of employment.

In contesting the processing taxes, the processors had no purpose to enrich themselves at the expense of the consumers. They merely sought to prevent the levying of an unconstitutional tax, which, like any other business expense, was passed on to the consumer where possible to do so.

By successfully contesting the validity of the processing taxes, the processors have not only performed a distinct benefit to themselves, but they have also saved the consumers and producers hundreds of millions of dollars which otherwise would have to be paid in the future.

As evidence of the disposition of processors not to take any undue advantage by reason of the return of the impounded processing taxes to them, I wish to quote the following telegram which I have received from the National Association of Cotton Manufacturers:

"During the past year it was impossible to pass the tax on in many instances. Several mill financial statements show where losses for 1935 are greater than the processing tax. Despite this, mills are passing on tax refunds due under agreement with customers made last August."

Doubtless other processors are taking similar steps. However, the administration's legal experts are now attempting to devise some means of recovering these refunds from the processors, so it may be that after all, the consumers will not get any benefit.

In his remarks of January 28, Secretary Wallace made reference to numerous letters he had received in connection with the Supreme Court's decision in the A. A. A. cases, and quoted from several. Since my denunciation of his charges on the floor of the House of Representatives recently I have received scores of letters supporting my stand. These letters, which are on file in my office, come from every section of the country—North, East, South, and West; from Republicans and Democrats; from New Dealers and anti-New Dealers. Many of them contain remarks very uncomplimentary to the Secretary. There are also many from which I wish I had time to quote, since they give a rather complete cross-section of the feeling of resentment on the part of the American people at the Secretary's charges.

The following brief editorial from the Charlotte (N. C.) Observer pretty well crystallizes newspaper sentiment throughout the country with reference to this matter. It reads:

"Secretary Wallace was, of course, frustrated by the blow given his A. A. A. by the Supreme Court, but he should learn to take his medicine more gracefully instead of uttering such irritable cries as his recent comment to the effect that permitting the processors to take back their taxes 'is the greatest legalized steal in history.'"

Even the chairman of the House Agricultural Committee, who rose in the House of Representatives to defend the Secretary following my denunciation of him, variously referred to his remarks as being "pretty strong", "extravagant", and "injudicious." Likewise Senator NORRIS, who is seeking to limit the power of the Supreme Court to declare acts of Congress unconstitutional, agreed that the charge was "too severe."

There is no doubt in my mind but that Secretary Wallace's derogatory charge is deplored and resented by the great body of our citizens throughout the country, including many of those who may have been adversely affected by the Court's decision. If Secretary Wallace does not have the decency to apologize, he ought to be made to retire from public office, and the sooner the better.

CONSENT CALENDAR

PRELIMINARY EXAMINATION OF NEHALEM RIVER, OREG.

The Clerk called the next bill, S. 3277, authorizing a preliminary examination of the Nehalem River and tributaries, in Clatsop, Columbia, and Washington Counties, Oreg., with a view to the controlling of floods.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That the Secretary of War is authorized and directed to cause a preliminary examination to be made of the Nehalem River and its tributaries, in Clatsop, Columbia, and Washington Counties, Oreg., with a view to the control of floods, in accordance with the provisions of section 3 of an act entitled "An act to provide for control of floods of the Mississippi River, and of the Sacramento River, Calif., and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL MONUMENT AT CAMP MERRITT, N. J.

The Clerk called the next bill, H. R. 27, to provide for the establishment of a national monument on the site of Camp Merritt, N. J.

The SPEAKER. Is there objection?

Mr. ZIONCHECK, Mr. TABER, Mr. BACON, and Mr. RICH objected.

Mr. KENNEY. Will the gentlemen withhold their objections?

Mr. ZIONCHECK. Mr. Speaker, I object.

Mr. TABER. Mr. Speaker, I object.

Mr. ANDREWS of New York. Mr. Speaker, the regular order.

Mr. BACON. Mr. Speaker, I object.

The SPEAKER. Three objections are heard. The Clerk will call the next bill.

WAR MINERALS RELIEF ACT

The Clerk called the next bill, S. 1567, to amend section 5 of the act of March 2, 1919, generally known as the War Minerals Relief Act.

The SPEAKER. Is there objection?

Mr. JENKINS of Ohio, Mr. TABER, and Mr. WOLCOTT objected.

PAN AMERICAN EXPOSITION, TAMPA, FLA.

The Clerk called House Joint Resolution 365, providing for participation by the United States in the Pan American Exposition to be held in Tampa, Fla., in the year 1939 in commemoration of the four hundredth anniversary of the landing of Hernando De Soto in Tampa Bay, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. ZIONCHECK, Mr. WOLCOTT, and Mr. MARTIN of Massachusetts objected.

Mr. PETERSON of Florida. Mr. Speaker, I ask unanimous consent that this joint resolution go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. ZIONCHECK. Mr. Speaker, I object.

ANNIVERSARY OF FOUNDING OF PRATTVILLE, ALA.

The Clerk called the next business, House Joint Resolution 241, to provide for the observance and celebration of the one hundredth anniversary of the founding of Prattville, Ala.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. ZIONCHECK, Mr. TABER, Mr. JENKINS of Ohio, and Mr. BACON objected.

ECONOMIC STUDIES OF THE FISHERY INDUSTRY

The Clerk called the next bill, H. R. 8055, to provide for economic studies of the fishery industry, market news service, and orderly marketing of fishery products, and for other purposes.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I find that this bill sets up a large personnel which are not taken from the civil-service register. I think we should start somewhere to protect the civil-service register. This bill gives the Secretary of Commerce power to appoint these individuals and remove them and fix their compensation at will. Unless the bill is corrected to require that these individuals be taken from the civil service I shall be inclined to object.

Mr. BLAND. Has the gentleman an amendment to that effect?

Mr. WOLCOTT. No. I will make the request that the bill go over without prejudice.

Mr. BLAND. That is all right.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EQUESTRIAN STATUE OF GEN. ROBERT E. LEE

The Clerk called House Joint Resolution 232, authorizing the erection of an equestrian statue of Gen. Robert E. Lee in the Arlington National Cemetery.

Mr. HOLLISTER and Mr. DIRKSEN objected.

TO PROHIBIT STATEMENTS AND PUBLICATIONS ADVOCATING OVERTHROW OF THE GOVERNMENT BY VIOLENCE

The Clerk called the next bill, H. R. 6427, a bill to prohibit statements and publications advocating overthrow of the Government by violence, and for other purposes.

Mr. YOUNG. Mr. Speaker, I object.

Mr. ZIONCHECK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ZIONCHECK. Mr. Speaker, I was wondering if the gentleman on the other side objected because this $5,000 was for Prattsville, Ala.

Mr. MAVERICK, Mr. YOUNG, and Mr. ZIONCHECK objected.

PURCHASE OF GROUP OF STATUARY KNOWN AS THE INDIAN BUFFALO HUNT

The Clerk called the next bill, H. R. 5263, to purchase and erect in the city of Washington the group of statuary known as the Indian Buffalo Hunt.

Mr. BACON, Mr. WOLCOTT, and Mr. RICH objected.

Mr. KELLER. Mr. Speaker, will the gentleman withhold his objection?

Mr. BACON. No; I object.

FILING AND INDEXING SERVICE FOR USEFUL GOVERNMENT PUBLICATIONS

The Clerk called the next bill, H. R. 4015, authorizing the establishment of a filing and indexing service for useful Government publications.

Mr. TABER. I object.

Mr. WOLCOTT. I object.

Mr. COCHRAN. Mr. Speaker, I object. This establishes another new governmental agency.

MEMORIAL TO THOSE SERVING IN ARMED FORCES OF UNITED STATES DURING WORLD WAR

The Clerk called the next bill, H. R. 1401, to authorize the erection of a tablet in the Washington Monument in honor of those who served in the armed forces of the United States during the World War.

Mr. DIRKSEN, Mr. BACON, and Mr. YOUNG objected.

COMMEMORATION OF THE BATTLE OF BLACKSTOCK

The Clerk called the next bill, H. R. 4332, to provide for the commemoration of the Battle of Blackstock.

Mr. ZIONCHECK, Mr. RICH, Mr. TABER, Mr. BACON, and Mr. WOLCOTT objected.

COMMEMORATION OF THE BATTLE OF MUSGROVE'S MILL

The Clerk called the next bill, H. R. 4331, to provide for the commemoration of the Battle of Musgrove's Mill.

Mr. ZIONCHECK, Mr. RICH, Mr. JENKINS of Ohio, Mr. TABER, and Mr. BACON objected.

DONATION OF LAND AT VALPARAISO, FLA., FOR AVIATION FIELD

The Clerk called the next bill, S. 3018, to authorize the Secretary of War to acquire by donation land at Valparaiso, in Okaloosa County, Fla., for aviation field, military, or other public purposes.

Mr. RICH. Mr. Speaker, reserving the right to object, will the sponsor of the bill explain its purpose? What department of the Government has passed upon it?

Mr. ZIONCHECK. The Government will spend no money on this particular project.

Mr. RICH. But the Government will spend money maintaining it after it is acquired.

Mr. ZIONCHECK. No; that is specifically provided against.

Mr. RICH. Mr. Speaker, I object.

The SPEAKER. This bill requires three objections. Are there further objections?

Mr. DIRKSEN, Mr. RICH, and Mr. WOLFENDEN objected.

Mr. WILCOX. Mr. Speaker, will the gentlemen withhold their objections? I think I can explain the bill to their satisfaction.

Mr. WOLFENDEN. No.

TO REGULATE DETAILING OF ARMY OFFICERS TO DUTY IN THE DISTRICT OF COLUMBIA

The Clerk called the next bill, H. R. 4452, to regulate the detailing of Army officers to duty in the District of Columbia, and for other purposes.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That section 4c, as amended, of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes", approved June 3, 1916, is hereby amended by striking out, beginning with the fifth sentence of the section, all that follows to the end of the section (U. S. C., title 10, secs. 27 to 29 and 532 to 534) requiring periodical duty with troops of combatant arms and making certain exceptions to the requirement), and inserting in lieu thereof the following paragraphs:

"No officer of the United States Army, except officers of the Medical Department, shall be ordered to duty of any kind within the District of Columbia unless such officer shall have served outside of the District of Columbia during the entire 4 consecutive years immediately preceding the commencement of such duty, and no such officer so ordered to duty in the District of Columbia shall be permitted to remain on duty in any capacity whatsoever within the District of Columbia for a longer period than 4 years.

"The Secretary of War shall annually report to Congress the numbers, grades, and assignments of the officers and enlisted men of the Army, and the number, kinds, and strength of organization pertaining to each branch of the service."

SEC. 2. The following provisions of law are hereby repealed:

(a) The last paragraph (U. S. C., title 38, sec. 681) (authorizing the exemption of not more than seven officers of the Army from the requirement of duty with troops to aid in the administration of the World War Adjusted Compensation Act) of section 701 of the World War Adjusted Compensation Act, as amended.

(b) That part of the second sentence of section 4 (c), as amended (U. S. C., Supp. VII, title 49, sec. 154) of the act entitled "An act to create the Inland Waterways Corporation for the purpose of carrying out the mandate and purpose of Congress as expressed in sections 201 and 500 of the Transportation Act, and for other purposes", approved June 3, 1924, reading as follows: ", and shall be exempt from the operation of any provision of law, or any rules or regulations issued thereunder, which limits the length of such detail or compels him to perform duty with troops."

(c) Section 2 (U. S. C., title 10, sec. 534) (amending section 4c of the National Defense Act of June 3, 1916, authorizing the exemption of officers of certain departments from the requirement of duty with troops) of the act entitled "An act to amend in certain particulars the National Defense Act of June 3, 1916, as amended, and for other purposes", approved June 6, 1924.

SEC. 3. In the application of section 315 (47 Stat. 411; 48 Stat. 13; 48 Stat. 522; U. S. C., Supp. VII, title 5, sec. 673, note) (providing for restrictions on transfer of noncivilian personnel), of part II of the act entitled "An act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1933, and for other purposes", approved June 30, 1932, with respect to the remainder of the fiscal year ending June 30, 1935, or to any period during which such section 315 may hereafter be continued in force, no restriction on the transfer of officers shall be effective in any way contrary to the provisions of section 4c, as amended (relating to the detailing of Army officers to duty in the District of Columbia) of the act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes", approved June 3, 1916.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOANS TO FARMERS FOR CROP PRODUCTION

The Clerk called the next bill, H. R. 10213, to provide for loans to farmers for crop production and harvesting during the year 1936, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ZIONCHECK. Mr. Speaker, is this not a bill that was passed last week under suspension of the rules?

The SPEAKER. The Chair is informed that there is a Senate bill, which was passed in lieu of this bill, now pending in conference.

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent to lay this bill on the table.

The SPEAKER. Without objection, the bill will be laid on the table.

There was no objection.

MILITARY AND NAVAL FORCES OF THE UNITED STATES

The Clerk called the next bill, S. 2253, to make better provision for the government of the military and naval forces of the United States by the suppression of attempts to incite the members thereof to disobedience.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ZIONCHECK, Mr. YOUNG, Mr. SCOTT, Mr. MAVERICK, and Mr. MARCANTONIO objected.

PROHIBITING ARMY OFFICERS FROM RENDERING OUTSIDE SERVICES FOR PAY

The Clerk called the next bill, H. R. 4453, to prohibit Army officers from rendering outside services for pay or reward in connection with Government contracts, property, or business relations, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McFARLANE. Mr. Speaker, reserving the right to object, I would like to have the author of this bill explain it a little bit.

Mr. MARTIN of Massachusetts demanded the regular order.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That chapter 5 (offenses relating to official duties) of the Criminal Code is hereby amended by inserting between sections 109 and 110 thereof (U. S. C., title 18, secs. 198 and 199), a new section to read as follows:

"SEC. 109A. No officer of the United States Army with an active-duty status shall render, or agree to render, services or assistance of any kind or in any way to an individual partnership, association, or corporation for pay, compensation, thing of value, gratuity, fee, or reward, of any kind or in any form, or for the promise thereof, in connection with any claim against the United States, any contract or negotiation relating to a contract with the United States, or any obligation, transaction, or business relation to which the United States is a party, directly or indirectly, in respect of any property, real or personal, any material, or any services. The term 'United States' in this section, except the first time it occurs, includes the District of Columbia, or any Territory or possession of the United States. Any such officer who violates this section shall be fined not more than $5,000 or be imprisoned not more than 1 year, or both."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

COURT MARTIAL FOR OFFENSES INVOLVING FRAUDS AGAINST THE UNITED STATES

The Clerk called the next bill, H. R. 4454, to amend the Articles of War to provide a 10-year period of limitations on proceedings by court martial for offenses involving frauds against the United States.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ZIONCHECK. Mr. Speaker, I object.

EVERGLADES NATIONAL PARK, FLA.

The Clerk called the next bill, H. R. 8741, to amend an act entitled "An act to provide for the establishment of the Everglades National Park in the State of Florida, and for other purposes", approved May 30, 1934.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MARTIN of Massachusetts, Mr. TABER, Mr. JENKINS of Ohio, Mr. WOLCOTT, and Mr. DIRKSEN objected.

ERECTION OF MEMORIAL IN DEPARTMENT OF LABOR BUILDING

The Clerk called House Joint Resolution 439, authorizing the erection in the Department of Labor Building of a memorial to the officers of the Immigration and Naturalization Service and Immigration Border Patrol who, while on active duty, lost their lives under heroic or tragic circumstances.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. DIRKSEN. Mr. Speaker, reserving the right to object, may we have a statement with reference to this matter?

Mr. LANHAM. Mr. Speaker, I introduced this joint resolution at the request of the Secretary of Labor. Those who are employed in that Department wish at their own expense to put up a plaque in honor of those formerly in that service who have died under heroic or tragic circumstances in the performance of their duty. They have already raised the money for this purpose. This is following a precedent that has existed in other departments and involves not one penny of expense to the Government.

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. LANHAM. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. Is it not true that this whole movement started from what was almost a wholesale massacre of border-patrol men down in the gentleman's own State?

Mr. LANHAM. No. There are many other States involved, and in the hearings a list of these officers is set out, and also the sections of the United States in which the tragedies occurred. They all died under heroic circumstances.

Mr. JENKINS of Ohio. I think the joint resolution is very meritorious.

Mr. McFARLANE. When the gentleman extends his remarks, will he set out therein a list of those who have died?

Mr. LANHAM. Their names already appear in the hearings.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Clerk read the bill, as follows:

Resolved, etc., That the Director of Public Buildings and Public Parks of the National Capital be, and is hereby, authorized to grant permission for the erection of a memorial to the officers of the Immigration and Naturalization Service and Immigration Border Patrol who while on active duty lost their lives under heroic or tragic circumstances. The design of the memorial shall be approved and the site in the Department of Labor Building shall be chosen by the Commission of Fine Arts, and the United States shall be put to no expense in or by the erection of the said memorial.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SURVEY OF SAN GABRIEL AND LOS ANGELES RIVERS

The Clerk called the next bill, H. R. 7147, authorizing a preliminary examination and survey of the San Gabriel and Los Angeles Rivers and their tributaries; to include both

drainage basins and their outlets, in Los Angeles County, Los Angeles, Calif., with a view to the controlling of floods.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is authorized and directed to cause a preliminary examination to be made of the Los Angeles and San Gabriel Rivers and their tributaries; to include both drainage basins and their outlets, in Los Angeles County, Los Angeles, Calif., with a view to the control of floods, in accordance with the provisions of section 3 of an act entitled "An act to provide for control of the floods of the Mississippi River, and of the Sacramento River, Calif., and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

The title was amended to read as follows: "A bill authorizing a preliminary examination of the San Gabriel and Los Angeles Rivers and their tributaries; to include both drainage basins and their outlets, in Los Angeles County, Los Angeles, Calif., with a view to the controlling of floods."

PERMISSION TO ADDRESS THE HOUSE

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent that on tomorrow, after the reading of the Journal and disposition of business on the Speaker's table and special orders now pending I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. RICH. Mr. Speaker, reserving the right to object, may I ask the gentleman if he is going to have that parade from the Capitol to the White House tomorrow?

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. McFARLANE. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes tomorrow after the reading of the Journal and disposition of business on the Speaker's desk and special orders now pending.

The SPEAKER. The gentleman from Texas asks unanimous consent to address the House tomorrow after disposition of business on the Speaker's desk——

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object——

The SPEAKER. I think it is a discourtesy to the Chair for Members to interpose when the Chair is undertaking to state a unanimous-consent request to the House. [Applause.]

The gentleman from Texas asks unanimous consent that on tomorrow after the reading of the Journal and disposition of business on the Speaker's table and other special orders he may be permitted to address the House for 15 minutes. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, may I ask the gentleman what subject he is going to talk about?

Mr. McFARLANE. The subject will be the 10-percent amendment that was placed on the War Department appropriation bill last Friday and the aspersions that have been cast on the amendment by the press yesterday and day before.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Chair wishes to make this explanation of the remark the Chair made awhile ago. Every Member of the House may rest assured that he will have an opportunity to interpose his objections. The Chair is not anxious, of course, to cut off any gentleman from objecting whenever he may desire to do so, but the Chair does think that orderly procedure in the House demands that the request be first submitted and then that the Member reserve an objection or object, as he may desire.

OPERATION OF STANDS IN FEDERAL BUILDINGS BY THE BLIND

The Clerk called the next bill, H. R. 4688, to authorize the operation of stands in Federal buildings by blind persons, to enlarge the economic opportunities of the blind, and for other purposes.

Mr. COSTELLO and Mr. RICH rose.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice, as I understand the author of the measure is contemplating some amendments which will be offered to the bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

SAN JUAN NATIONAL MONUMENT, P. R.

The Clerk called the next bill, H. R. 7931, to establish the San Juan National Monument, P. R., and for other purposes.

Mr. ZIONCHECK and Mr. RICH objected.

INTERNATIONAL EXPOSITION OF PARIS

The Clerk called the next resolution, House Joint Resolution 305, accepting the invitation of the Government of France to the United States to participate in the International Exposition of Paris—Art and Technique in Modern Life—to be held at Paris, France, in 1937.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I notice that the committee raised the amount of money to be authorized for this purpose from $20,000 to $50,000.

Inasmuch as these exhibits will be by private enterprises in the United States who will contribute at their own expense, and inasmuch as $20,000 seems to me an ample amount for the purpose of supervision of these exhibits at Paris, I am constrained to object if the amount is left at $50,000. I think we should participate in this exposition and I shall have no objection to a reasonable authorization. Apparently the sponsor of the bill felt, when he introduced the measure, that $20,000 would be ample to allow us to participate. Now, the committee has increased the amount to $50,000, without very much reason so far as the report shows. With the assurance of the gentleman or the committee that there will be no objection to eliminating the $50,000, which will leave it at $20,000, I shall have no objection.

Mr. BACON. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. YOUNG. Mr. Speaker, I object.

REPUBLICAN RIVER, SMOKY HILL RIVER, AND MINOR TRIBUTARIES OF THE KANSAS RIVER

The Clerk called the next bill, H. R. 8030, to authorize a preliminary examination of Republican River, Smoky Hill River, and minor tributaries of Kansas River, in the State of Kansas, with a view to the control of their floods.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of Republican River, Smoky Hill River, and minor tributaries of Kansas River, in the State of Kansas, with a view to the control of their floods in accordance with the provisions of section 3 of an act entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, Calif., and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXCHANGE OF LAND BETWEEN THE WAIANAE CO. AND THE NAVY DEPARTMENT

The Clerk called the next bill, H. R. 9999, to authorize an exchange of land between the Waianae Co. and the Navy Department.

Mr. MAIN. Mr. Speaker, at the request of the Delegate from Hawaii [Mr. KING], I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

WATCHMEN AND MESSENGERS IN THE POSTAL SERVICE

The Clerk called the next bill, H. R. 10850, to extend the provisions of the 40-hour law for postal employees to watchmen and messengers in the Postal Service.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first section of the act entitled "An act to fix the hours of duty of postal employees, and for other purposes", approved August 14, 1935, is amended by striking out the words "and laborers" and inserting in lieu thereof the following: "laborers, watchmen, and messengers."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXAMINATION AND SURVEY OF ESOPUS CREEK AND ITS TRIBUTARIES

The Clerk called the bill (H. R. 9062) authorizing a preliminary examination and survey of the Esopus Creek and its tributaries of Birch, Bushnelville, Woodland, Warner Bushkill, and Beaverkill Creeks; Sawkill, Rondout, and Neversink Creeks, Ulster County; Schoharie and Catskill Creeks, Greene County; Neversink, Beaverkill, East Branch of Delaware, Willowemoc, and Lackawack Rivers, Sullivan County; Schoharie Creek and its tributaries, Schoharie County, all located in the State of New York, with a view to the controlling of floods.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of War is authorized and directed to cause a preliminary examination and survey to be made of Esopus Creek and its tributaries, of Birch, Bushnelville, Woodland, Warner Bushkill, and Beaverkill Creeks, Sawkill, Rondout, and Neversink Creeks, Ulster County; Schoharie and Catskill Creeks, Greene County; Neversink, Beaverkill, East Branch of Delaware, Willowemoc, and Lackawack Rivers, Sullivan County; Schoharie Creek and its tributaries, Schoharie County, all located in the State of New York, with a view to the control of floods, in accordance with the provisions of section 3 of an act entitled "An act to provide for control of floods of the Mississippi River, and the Sacramento River, Calif., and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

With the following committee amendments:

Page 1, line 4, after the word "examination" strike out the word "examination" and insert the words "and survey."

Amend the title so as to read "A bill authorizing a preliminary examination of the Esopus Creek and its tributaries of Birch, Bushnelville, Woodland, Warner Bushkill, and Beaverkill Creeks; Sawkill, Rondout, and Neversink Creeks, Ulster County; Schoharie and Catskill Creeks, Greene County; Neversink, Beaverkill, East Branch of Delaware, Willowemoc, and Lackawack Rivers, Sullivan County; Schoharie Creek and its tributaries, Schoharie County, all located in the State of New York, with a view to the controlling of floods."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed.

The title was amended.

A motion to reconsider was laid on the table.

SHORTER WORKWEEK FOR EMPLOYEES OF THE MAIL EQUIPMENT SHOP

The Clerk called the bill (H. R. 10193) to amend the act to fix the hours of duty of postal employees.

The SPEAKER. Is there objection?

Mr. RICH. Reserving the right to object, I would like to have the bill explained.

Mr. DOBBINS. Owing to the construction of the act of August 14, 1935, by the Comptroller General, the pay of these employees has been reduced. The Comptroller General held that that act, commonly known as the postal employees' 40-hour-week law, does not apply to men who are working on a per-diem basis, as these employees are in the mail bag repair shop. The result is that these employees have actually suffered a loss in pay due to the passage of a bill that was intended to benefit them along with all other postal employees. Now, this bill will give effect to the congressional intent that the per-diem postal employees working 40 hours a week will receive just as much pay for a week's work as they received before for the 44 hours' work required of them before the 40-hour bill was passed.

Mr. RICH. What rate of pay are they receiving?

Mr. DOBBINS. There is a table of that appended to the report. The usual rate is $4.40 to $7.60; but there are a few assistant foremen, machinists, and electricians and other skilled tradesmen who receive from $8 to $11.40.

Mr. RICH. You have the Government in business. Does the gentleman think it is right that the Government should be in business in competition with people doing the same kind of work in the same private industry?

Mr. DOBBINS. The mail bag repair shop is an old institution. When I was in the Postal Service 35 years ago it was an old institution then. I think there is no good reason why we should penalize these mail bag repair shop employees, who have lost a total of $14,588. Then there is an additional reason. These employees of this shop frequently find letters or other mail, sometimes containing money and other valuables, which has inadvertently been left in these old bags which are turned in for repairs. It seems to me the public is justified in expecting this mail to be kept in charge of sworn Government employees until it reaches its intended destination.

Mr. RICH. But if we continue to make laws in Congress to add to each one of these appropriation bills, we then increase the amount of money that we are to raise. When people in that department are making $4.50 to $11 a day, then you have to go back to the taxpayers and ask them to pay the bill. Now, is it right for you to go back to your district and for me to go back to my district and ask the taxpayers to increase the salaries of men who are getting $11 a day?

Mr. DOBBINS. I believe this shop was established before I was born; so I can hardly assume any responsibility for initiating the practice, so far as its propriety is concerned. But it is unquestionably right that the men should be equitably paid for the work that they do.

Mr. RICH. I agree with that.

Mr. DOBBINS. And they will continue to be paid whether we pass this bill or not.

Mr. RICH. I agree with that, but I question whether we should enact laws now and then go back and expect to have an appropriation to pay for it. How are you going to do it? Where are you going to get the money?

Mr. DOBBINS. The appropriation has already been made, for all of us assumed these employees were included in the scope of the bill, and the estimate of additional funds needed was made accordingly. Another consideration is this: These postal employees were expressly excluded from the benefits of the pending annual leave bill, on the theory that they were getting a compensating weekly vacation, without loss of pay, through our 40-hour bill. The leave bill has passed the House, and now appears to have an excellent chance of becoming a law. The result is that this small group of employees is unintentionally deprived of any benefit of either law.

Mr. ANDREWS of New York. Regular order, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, I object.

PREMIUM ON BONDS OF OFFICERS AND EMPLOYEES IN POST OFFICE DEPARTMENT

The Clerk called the next bill, H. R. 6014, to regulate the rate of premium on bonds of officers and employees in the motor-vehicle service of the Post Office Department.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That, effective —— days after the date of enactment of this act, no bond shall be accepted from any surety or bonding company for any officer or employee in the motor-vehicle service of the Post Office Department which shall cost more than the rate of premium which may lawfully be charged

clerks and letter carriers in the Post Office Department for like bonds under the provisions of the Deficiency Appropriation Act for the fiscal year 1909, approved August 5, 1909 (U. S. C., title 6, sec. 14).

With the following committee amendment:

Page 1, line 3, after the word "effective", insert the word "thirty."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF OFFICERS AND SOLDIERS IN SERVICE IN THE PHILIPPINE ISLANDS

The Clerk called the next bill, H. R. 9472, for the relief of officers and soldiers of the volunteer service of the United States mustered into service for the War with Spain and who were held in service in the Philippine Islands after the ratification of the treaty of peace, April 11, 1899.

The SPEAKER. Is there objection?

Mr. COSTELLO and Mr. YOUNG objected.

OBSOLETE COAST GUARD MATERIAL TO SEA-SCOUT DEPARTMENT OF THE BOY SCOUTS OF AMERICA

The Clerk called the next bill, H. R. 9671, to authorize the Secretary of the Treasury to dispose of material to the sea-scout department of the Boy Scouts of America.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice. I also make the same request as to the next bill, Calendar No. 558.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

Mr. JENKINS of Ohio. Reserving the right to object, Mr. Speaker, these bills are entirely different. I object to that procedure.

Mr. ZIONCHECK. I have not had a chance to look at these particular bills, and I ask that they go over.

The SPEAKER. Is there objection?

Mr. JENKINS of Ohio. I object to the gentleman's request. If the gentleman will divide it, I have no objection.

The SPEAKER. Is there objection to the request that H. R. 9671 go over without prejudice?

There was no objection.

BRIDGE ACROSS MISSOURI RIVER AT RANDOLPH, MO.

The Clerk called the next bill, H. R. 10187, to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Randolph, Mo.

The SPEAKER. Is there objection.

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

BRIDGE ACROSS THE MONONGAHELA, ALLEGHENY, AND YOUGHIOGHENY RIVERS, ALLEGHENY COUNTY, PA.

The Clerk called the next bill, H. R. 10262, to extend the times for commencing and completing the construction of certain bridges across the Monongahela, Allegheny, and Youghiogheny Rivers in the county of Allegheny, Pa.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ZIONCHECK. Reserving the right to object——

Mr. HOLMES. Reserving the right to object, and I am not going to object, I want to call the attention of the House to the fact that this bill was passed and became a law during the first session of the Seventy-fourth Congress.

Mr. ZIONCHECK. And Mr. Truax had a similar objection to this bill, did he not?

Mr. HOLMES. This bill comes in with certain amendments, and they are very minor clarifying amendments. In other words, if you will look at the report on this bill you will find in connection with all these bridge bills that they are striking "bridge." and inserting "bridge,". That is all the amendment there has been to the present law, which was passed at the last session of Congress by almost a unanimous vote. I sincerely hope that in connection with the consideration of these bridge bills the House will support the Committee on Bridges of the Interstate and Foreign Commerce Committee, which has diligently considered all these applications for extensions. We are recommending to the Congress a number of them in regular order. Most of them are granting extensions to either communities, State commissions, or States the right to build these bridges. I hope we can pass these bridge bills and amend these acts so that the State and municipalities can proceed.

Mr. ZIONCHECK. Will the gentleman yield?

Mr. HOLMES. I am very glad to yield.

Mr. ZIONCHECK. The only thing I resent about this bill is that our former colleague from Ohio, Mr. Truax, who is now dead, entered into an agreement with some of the gentlemen from Pennsylvania that if he let the bill go through last time they would amend it and make these free bridges or limit the amount they should charge. I do not know what gentlemen from Pennsylvania agreed to that, but when it came to the amendment they talked against it and voted it down. That was the greatest breach of faith that I have ever seen demonstrated on the floor of this House.

Mr. HOLMES. Mr. Speaker, may I say to my colleague from Washington that there is nothing in the bill which compels the authorities to charge any tolls whatsoever. That is purely a matter of local regulation and control in conformity with what the W. P. A. may require in helping finance these projects. One of the requirements may be that there be tolls to retire part of the cost of the construction work. I sincerely hope the gentleman will not oppose this legislation.

The regular order was demanded.

The SPEAKER. The regular order is, Is there objection to the bill?

Mr. ZIONCHECK. Mr. Speaker, the gentleman from Pennsylvania [Mr. BROOKS] wants to state that these are free bridges now.

The SPEAKER. Does the gentleman from Washington object?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of certain bridges, to wit:

(a) Across the Monongahela River, at a point suitable to the interests of navigation, from Pittsburgh to Homestead, Pa., near to, and to replace, existing Brown's Bridge.

(b) Across the Allegheny River, at a point suitable to the interests of navigation, from Pittsburgh to O'Hara Township, Pa., near Dam No. 2, to replace the existing Highland Park Bridge.

(c) Across the Monongahela River, at a point suitable to the interests of navigation, in the city of Pittsburgh, Pa., between the Smithfield Street and Point Bridges.

(d) Across the Monongahela River, at a point suitable to the interests of navigation, from the Glenwood to the Hays section of the city of Pittsburgh, Pa., to replace existing Glenwood Bridge.

(e) Across the Monongahela River, at a point suitable to the interests of navigation, from Dravosburg to McKeesport, Pa., to replace existing Dravosburg Bridge.

(f) Across the Youghiogheny River, at a point suitable to the interests of navigation, in the city of McKeesport, to replace existing Fifth Avenue Bridge.

(g) Across the Monongahela River, at a point suitable to the interests of navigation, from the borough of Rankin to the borough of Whittaker, Pa., to replace existing Rankin Bridge,

authorized to be built by Allegheny County Authority and the county of Allegheny, Pa., or either of them, by an act of Congress approved June 4, 1934, amended and supplemented by an act of Congress approved August 21, 1935, are hereby extended 1 and 3 years, respectively, from June 4, 1936.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

One page 1, in line 8, and on page 2, in lines 4, 8, 12, 16, and 19, change the period in each instance to a comma, and in line 23, on page 2, after the word "Bridge", insert a comma.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HOURS OF DUTY OF POSTAL EMPLOYEES

Mr. DOBBINS. Mr. Speaker, I ask unanimous consent to return to Calendar No. 554, and ask that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

BRIDGE ACROSS POQUETANUCK COVE, LEDYARD, CONN.

The Clerk called the next bill, H. R. 10316, to legalize a bridge across Poquetanuck Cove at or near Ledyard, Conn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the State of Connecticut to maintain and operate a bridge and approaches thereto already constructed across Poquetanuck Cove at or near Ledyard, Conn., as a lawful structure and subject to the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS SECOND CREEK, LAUDERDALE COUNTY, ALA.

The Clerk called the next bill, H. R. 10465, to legalize a bridge across Second Creek, Lauderdale County, Ala.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the State of Alabama to maintain and operate a bridge and approaches thereto already constructed across Second Creek, Lauderdale County, Ala., on the Florence to Athens highway in such State, as a lawful structure and subject to the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS OHIO RIVER, ROCKPORT, IND.

The Clerk called the next bill, H. R. 11045, to extend the times for commencing and completing the construction of a bridge across the Ohio River between Rockport, Ind., and Owensboro, Ky.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Ohio River between Rockport, Ind., and Owensboro, Ky., authorized to be built by the Spencer County Bridge Commission, by an act of Congress approved June 18, 1934, are hereby extended 1 and 3 years, respectively, from June 18, 1936.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS LAKE SABINE, PORT ARTHUR, TEX.

The Clerk called the next bill, H. R. 10185, to amend the act approved June 18, 1934, authorizing the city of Port Arthur, Tex., or the Commission thereby created and its successors, to construct, maintain, and operate a bridge over Lake Sabine, at or near Port Arthur, Tex., and to extend the times for commencing and completing the said bridge.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 4 of the act entitled "An act authorizing the city of Port Arthur, Tex., or the Commission hereby created and its successors, to construct, maintain, and operate a bridge over Lake Sabine, at or near Port Arthur, Tex.", approved June 18, 1934, is amended by striking out the words "20 years" and inserting in lieu thereof the words "30 years."

SEC. 2. That the times for commencing and completing the construction of the aforesaid bridge are hereby extended 1 and 3 years, respectively, from June 18, 1936.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LIMITING OPERATION OF CRIMINAL CODE WITH RESPECT TO CERTAIN COUNSEL

The Clerk called the next bill, S. 3453, limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to certain counsel.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. ZIONCHECK and Mr. MARTIN of Massachusetts objected.

NATIONAL BOY SCOUT JAMBOREE, 1937

The Clerk called House Joint Resolution 443, to amend Public Resolution No. 31 of the Seventy-fourth Congress, first session, approved June 17, 1935, so as to extend its provisions to cover the National Boy Scout Jamboree now scheduled to be held in 1937.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That Public Resolution No. 31 of the first session, Seventy-fourth Congress, approved June 17, 1935, is hereby amended as follows: In section 1 of the public resolution, after the words "to be held in the United States in", the figures "1935" are amended to read "1937."

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COAST GUARD STATION, CRESCENT CITY, CALIF.

The Clerk called the next bill, H. R. 1398, to provide for the establishment of a Coast Guard station at or near Crescent City, Calif.

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

COAST GUARD STATION, PORT WASHINGTON, WIS.

The Clerk called the next bill, H. R. 8370, to provide for the establishment of a Coast Guard station at Port Washington, Wis.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAMNECK. Mr. Speaker, I object.

COAST GUARD STATION AT APOSTLE ISLANDS, WIS.

The Clerk called the next bill, H. R. 8901, to provide for the establishment of a Coast Guard station at or near Apostle Islands, Wis.

The SPEAKER. Is there objection to the consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to establish a Coast Guard station at or near Apostle Islands, Wis., at such point as the Commandant of the Coast Guard may recommend.

With the following committee amendment:

On page 1, line 4, strike out "and directed."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This completes the call of the Consent Calendar.

Mr. DIRKSEN. Mr. Speaker, I make the point of order there is not a quorum present.

The SPEAKER. The Chair will count.

Mr. DIRKSEN. Mr. Speaker, I withdraw the point of order.

NEUTRALITY

Mr. McREYNOLDS. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H. J. Res. 491) extending and amending the joint resolution (Public Res. No. 67, 74th Cong.), approved August 31, 1935.

The Clerk read the joint resolution, as follows:

Resolved, etc., That section 1 of the joint resolution (Public Res. No. 67, 74th Cong.), approved August 31, 1935, be, and the same hereby is, amended by striking out in the first section, on the second line, after the word "assembled" the following words: "That upon the outbreak or during the progress of war between" and inserting therefor the words: "Whenever the President shall find that there exists a state of war between"; and by striking out the word "may" after the word "President" and before the word "from" in the twelfth line and inserting in lieu thereof the word "shall";

and by substituting for the last paragraph of said section the following paragraph: "except with respect to offenses committed or forfeitures incurred prior to May 1, 1937, this section and all proclamations issued thereunder shall not be effective after May 1, 1937."

SEC. 2. There are hereby added to said joint resolution two new sections, to be known as sections 1a and 1b, reading as follows:

"SEC. 1a. Whenever the President shall have issued his proclamation as provided for in section 1 of this act, it shall thereafter during the period of the war be unlawful for any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any belligerent country, or of any political subdivision thereof, or of any person acting for or on behalf of such government, issued after the date of such proclamation, or to make any loan or extend any credit to any such government or person: *Provided*, That if the President shall find that such action will serve to protect the commercial or other interests of the United States or its nationals, he may, in his discretion, and to such extent and under such regulation as he may prescribe, except from the operation of this section ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in normal peacetime commercial transactions.

"The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of the President's proclamation.

"Whoever shall violate the provisions of this section or of any regulations issued hereunder shall, upon conviction thereof, be fined not more than $50,000 or imprisoned for not more than 5 years, or both. Should the violation be by a corporation, organization, or association, each officer or agent thereof participating in the violation may be liable to the penalty herein prescribed.

"When the President shall have revoked his proclamation as provided for in section 1 of this act, the provisions of this section and of any regulations issued by the President hereunder shall thereupon cease to apply.

"SEC. 1b. This act shall not apply to an American republic or republics engaged in war against a non-American state or states, provided the American republic is not cooperating with a non-American state or states in such war."

SEC. 3. Section 9 of said joint resolution is amended to read as follows:

"There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this act."

The SPEAKER. Is a second demanded?

Mr. FISH. Mr. Speaker, I demand a second.

Mr. MAVERICK. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. MAVERICK. Mr. Speaker, I am informed that no specific authority to request a suspension of the rules has been given by the committee. May I ask the chairman if specific authority has been granted by his committee on this particular bill? In other words, has specific authority been given the gentleman by the committee to ask for a suspension of the rules?

Mr. McREYNOLDS. Yes; twice.

Mr. MAVERICK. On this particular bill?

Mr. McREYNOLDS. Yes.

The SPEAKER. The Chair may say to the gentleman that it is within the discretion of the Chair to recognize the gentleman's move to suspend the rules.

Mr. MAVERICK. Specific authority has to be given by the committee, as I understand the rules of the House.

Mr. McREYNOLDS. The motion is to suspend all rules, anyway.

The SPEAKER. Is a second demanded?

Mr. FISH. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. FISH. I am opposed to the way it is being brought up here.

Mr. MAVERICK. Mr. Speaker, I shall object and then demand tellers, and I demand a second.

The SPEAKER. Is a second demanded?

Mr. MAVERICK. Mr. Speaker, I demand a second. I am opposed to the bill.

Mr. FISH. Mr. Speaker, I am opposed to the way the bill is being brought up.

The SPEAKER. Is any other Member opposed to the bill on its merits?

Mr. MAVERICK. Mr. Speaker, I am opposed to the bill on its merits and demerits.

The SPEAKER. Is any Member on the minority side opposed to the bill on its merits? If so, the Chair will recognize him to demand a second.

Mr. ROBSION of Kentucky. Mr. Speaker, I am opposed to the bill on its merits, and I demand a second.

The SPEAKER. The gentleman is recognized to demand a second.

Mr. McREYNOLDS. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. MAVERICK. Mr. Speaker, I object.

The SPEAKER. The gentleman from Texas objects. The gentleman from Tennessee [Mr. McREYNOLDS] and the gentleman from Kentucky [Mr. ROBSION] will take their places and act as tellers.

Mr. MAVERICK. Mr. Speaker, I withdraw my objection.

The SPEAKER. The gentleman withdraws his objection. Without objection, a second is considered as ordered.

There was no objection.

Mr. McREYNOLDS. Mr. Speaker, I ask unanimous consent that the time be extended to 40 minutes on the side, instead of the usual 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. ANDREWS of New York. Mr. Speaker, reserving the right to object, inasmuch as the joint resolution has been brought up in this form, there will be no opportunity for amendment. I see no reason to continue the debate any longer than the usual time, and therefore I object.

The SPEAKER. The gentleman from Tennessee [Mr. McREYNOLDS] is recognized for 20 minutes and the gentleman from Kentucky [Mr. ROBSION] is recognized for 20 minutes.

Mr. SISSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SISSON. As I understand the rules of the House, one-half of the time should be allotted to those who are opposed to this bill on its merits. I do not think that situation obtains. This bill is being considered under the most vicious type of gag rule, and I think in the interest of fairness, the Members who are opposed to this bill on its merits should have 20 minutes of the time.

The SPEAKER. That was the object of the Chair in requesting those who demanded a second to state whether or not they are opposed to the bill on its merits. The gentleman from Kentucky qualified. The Chair assumes that the gentleman from Kentucky [Mr. ROBSION] will, in the spirit of his demand, yield to those who are opposed to the bill.

Mr. ROBSION of Kentucky. The gentleman will yield to those who are opposed to the resolution.

Mr. O'MALLEY. Mr. Speaker, I make the point of order that there is not a quorum present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and forty-five Members are present, a quorum.

The gentleman from Tennessee is recognized for 20 minutes and the gentleman from Kentucky is recognized for 20 minutes.

Mr. McREYNOLDS. Mr. Speaker, I yield myself 5 minutes.

I ask only a few minutes to undertake to explain this bill, which is very short. It merely amends the neutrality law that we passed at the last session and adds a very important section on credits, which, to a great extent, will control materials of war.

It was absolutely necessary to resort to these means in order to save the present neutrality bill, which expires on the 29th day of this month. The same bill has been agreed upon by the Senate, and it is their intention to do the same thing that we are doing in passing the bill in this way.

Naturally I would prefer to come before the House in favor of the bill that was reported by your committee prior to this bill, which was more complete, and I take no backwater on that; but, not desiring to lose the neutrality legislation we have, we had to form a compromise in order to save it.

Now, what does this bill do? First, there are some merely clarifying amendments to the bill of last year, and, second, there is the credit section, which we consider very important.

You will recall that 2 years ago the Johnson bill was passed, which prohibited the sale of bonds, and so forth, of foreign nations in this country where they were in default. This

carries that provision further and makes it unlawful to sell Government bonds, and so forth, or to transfer or to exchange them if they are belligerent nations, in order to prevent such belligerent countries from being able to finance their wars in this country. This will be of great service.

The bill also provides that this shall not apply to American republics when engaged in war with a foreign state.

This is what is in the bill, and if the measure is passed, then what legislation do we have on neutrality? We will have the following:

First. Embargo against the sale, exportation, and transportation of arms, ammunition, or implements of war to any and all belligerents except to American republics, as expressly provided.

Second. Prohibition against the sale of bonds, notes, and other securities of belligerent countries in the United States, or the purchase of such securities in the United States; the prohibition of loans or extension of credits of foreign governments or persons representing them, except ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in current commercial business.

Third. Prohibition against American vessels carrying arms, ammunition, and implements of war to belligerents or for transshipment for use by belligerents.

Fourth. Prohibition of the use of the United States as a base for supplying belligerent ships with arms, ammunition, or implements of war.

Fifth. Special regulations relative to the use of our ports by submarines of belligerent countries.

Sixth. Restraint upon our citizens when traveling upon belligerent vessels.

With the adoption of the amendments we have proposed, you will have the matters I have enumerated as a step forward in reference to neutrality.

Mr. DUNN of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. McREYNOLDS. I have not the time right now.

This will be our position; but if it is not passed or if it does not become the law before the 29th of this month, you will have nothing. So it is up to us to pass this bill in this form in order to put it up to the Senate, because they have agreed to pass it in the same form, if possible, and then we will have an extension of our neutrality laws.

This is not all your committee wanted; this is not all I wanted; and I regret very much to have to come before the House and even ask for a suspension of the rules, but I want to say to you that the time is here, and it is time we should act, and after much consideration I thought this was the proper way to pass this bill, under the circumstances existing, and also inasmuch as it has been reported out unanimously by your committee. [Applause.]

[Here the gavel fell.]

Mr. ROBSION of Kentucky. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. MAVERICK].

WEEKS ON SPEECHES—40 MINUTES ON MILLIONS OF LIVES

Mr. MAVERICK. Mr. Speaker, I would like to know why the Foreign Affairs Committee and why the chairman of that committee did not stick by their original bill, which was a good bill. They should have stuck by their original bill, and what they thought was right. After working for about a year, since last year's bill was enacted, they report out a bill and recommend it highly. Suddenly, the committee deserts it. Why?

We all have our views, but I feel certain many of us are against the bill now being presented, if for no other reason, because it comes up here with only 40 minutes of discussion, no chance for amendment—just a cruel, undemocratic gag rule. We meet here and discuss everything imaginable, and it seems the only thing we want to do is to shadow box around and get away and adjourn by May 1. Of course, we ought to get out of here, but this is the most important thing that has come before the Congress in 10 years, and it is announced in the paper this morning that we will be gagged this afternoon and here we are in the afternoon, taking the gag as the paper said we would. Is there no limit to this? We have used 10 hours on an appropriation bill, hours on bitter personalities, and hours on home consumption speeches. But when it comes to the lives of millions of our sons, the most important bill before Congress, it takes 40 minutes to finish such a question.

RETREAT AND SURRENDER BY COMMITTEE—NO REAL NEUTRALITY

The chairman of the Foreign Affairs Committee said that the substitute bill now being presented is very short. Yes, it is very short, and it is an abandonment of everything that committee stood for. They went back on themselves, and back on the administration, and back on the Democratic Party, and back on the Republican Party. They have disappointed the American people and the American people, 90 percent of them, will be ashamed of our action in this matter.

The gentleman said "we" had to compromise, that it is the best "we" could get. Well, who are "we" and who compromised? This House is supposed to pass its own legislation. This body is not supposed to go before the Senate with some of its alleged leaders and have secret compromises! We are supposed to legislate! We are supposed to pass on these things ourselves. Moreover, I am getting tired of "steps in the right direction", halfway measures accomplishing nothing and only trying to please everybody politically. I am getting tired of being rushed at the very last few days of some law expiring and being told that if we do not take the gag like good little boys that we will not have any legislation at all. The truth is, this committee has had a full year in which to study—they reported a bill, then abandoned it—and now ask us to support this bill, which is worse than nothing.

LEGISLATION ALL VAGUE AND DISCRETIONARY

Now, the gentleman from Tennessee speaks of all the things this new makeshift bill is going to stop, but I want to tell you this is the very worst type of discretionary legislation. It is nothing but discretionary legislation; it is vague, loosely drawn, indefinite, and does not meet the situation. The submarine part is merely a discretionary authority for the President; so are all the rest of the provisions in effect, except the arms embargo.

Let us take the part in reference to finance and business. The President can make exceptions in what is termed as ordinary peacetime credit; the bill is so drawn as to make possible such exceptions as will lead to the same kind of wartime boom that got us into the last war. In other words, this is no bill at all. We ought not to go before the country with such a bill. The people are not so dumb as not to know they are getting double-crossed.

The committee reported a bill originally, and why do they not stand by it? It was itself not perfect, but it had some strong provisions—at least, it was intended to meet the situation. But the bill which is now being choked down our throats is, as the chairman of the Foreign Affairs Committee says, a compromise—and a dubious one—a makeshift, a jumble of "*provideds*", words, loose sentences meaning practically nothing. This bill does not eliminate the causes that led us into the World War, or may lead us into the present war, or some other. The heart of the original bill, all its strong provisions, are taken out and eliminated. This is a hodgepodge, and you do not know whether you have international law or whether you have national law.

NINETY PERCENT OF AMERICAN PEOPLE DISAPPOINTED

As I have said, 90 percent of the American people are going to be disappointed and discouraged. They are going to be discouraged by the administration laying down on this bill. And the people are going to be disappointed not only with the administration but all of Congress and all parties. This is no effective legislation. I appeal to you that we pass some legislation before we leave that will keep us out of war.

The attitude in Washington now seems to be not now—maybe later. No; do not let us pass legislation of an effective nature now, but wait until later. Pass up old-age pensions, social security, unemployment, all real questions

involving fundamental economic problems, until after the election! And pass up neutrality until after a war!

Mr. Speaker, this bill passes over the fundamental factors of staying out of war, and is nothing but a makeshift, and for which the chairman of the Foreign Affairs Committee and several of its members have apologized. This bill, in my opinion, should be voted down by us, so the Foreign Affairs Committee will bring out a bill of some kind on an ordinary rule on the floor. Then the whole question can be thoroughly explained, and the bill can be debated, discussed, and amended. Then, whatever the outcome, we can be satisfied. But a gag such as this, especially since it is also quack medicine, must surely leave a bitter taste. [Applause.]

[Here the gavel fell.]

Mr. ROBSION of Kentucky. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. SISSON].

NEUTRALITY

Mr. SISSON. Mr. Speaker and Members of the House, the legislation commonly known as neutrality legislation, but mainly designed for the purpose of keeping this country out of war, is legislation on the most important subject which has come before this Congress at this session, and perhaps the most important that will come before the Congress at this session.

An emergency measure, hurried because of the threatened imminence of a general European conflict, was passed in the closing days of the last session. It was well understood and conceded at that time by the Members in both branches of Congress that the law passed last session was hastily prepared, that for lack of time not sufficient study had been given to it, and that it was not adequate for and not intended to be a permanent formulation of our policy either designed to keep us out of another European conflict or to save us from the enormous loss and entire dislocation of our productive agencies which we suffered through our trade policy in the World War.

Since the close of last session, during the months of the recess members of the Committee on Foreign Affairs and Foreign Relations in both bodies of Congress, and other Members of Congress, other experts and authorities, the State Department—notably two of our most sound and able statesmen, Secretary Hull and Under Secretary Moore—have been studying this subject. The House Committee on Foreign Affairs held open hearings for weeks and gave most intelligent and careful consideration to this subject. They prepared a bill in which they avoided the questions which could not yet be finally passed upon. The result of their work was to reconcile varying and extreme views and the two somewhat opposite policies or schemes of neutrality legislation. That bill—the original bill, the administration bill—the bill recommended and endorsed by the State Department—in other words, the McReynolds bill, as reported first to this House was a good bill, and under the circumstances a most admirable piece of work. I want again to congratulate Chairman MCREYNOLDS for the ability and statesmanship which he and several of the members of the House Committee on Foreign Affairs evidenced in the result that they accomplished under trying circumstances.

The heart of that bill was section 4, which was intended to keep wartime trade down to peacetime or normal volume. During the World War we exported a vast quantity of our wealth; so much that it exceeded by over $28,000,000,000 the goods which we took in return. In addition to that tangible wealth, we exported about $25,000,000,000 worth of our capital. It was not a healthy trade. Its result was to make a few rich and millions poor, because we received in return for it, not goods, but mainly the I O U's of the other countries which have not and will not be paid. In addition to that we greatly speeded up our manufacturing production, bringing about, after the war ended, great unemployment, and we called into cultivation many millions of acres of land and put them under the plow, which should have been left in grass, and thereby to a great extent brought about the plight of our farmers, to remedy which the A. A. A. was passed.

The President uttered some strong words about this policy in his annual message to the Congress in January, and stated, among other things:

> * * * we seek to discourage the use by belligerent nations of any and all American products calculated to facilitate the prosecution of a war in quantities over and above our normal exports to them in time of peace.

This was the heart of the legislation.

It is now proposed to scrap this legislation and to pass in place of it a bill extending the present so-called neutrality law until the 1st of May 1937, with the comparatively unimportant addition of the prohibition of loans and credits, which at the present time and for some years to come most of the nations could not obtain anyway. The real heart of the legislation has been taken out of this makeshift bill. Its extension again for a period of another year and two months is a confession on our part of weakness and of the inability of Congress to legislate for the interest of all the people when subjected to pressure, and to the influence of selfish interests. The overwhelming majority of the American people, though somewhat inarticulate, though incapable of expressing in definite language their wishes to be put into words that will accomplish their wishes in this legislation, still want legislation that will keep us out of war, legislation that will help to avoid the necessity of again sending our boys, our weath, our dollars abroad for the purposes of a European conflict. In my judgment, this makeshift bill wretchedly fails in all of those purposes.

But this is not the worst of it!

We are asked today to pass this bill under suspension of the rules, with only a few minutes of debate, with no opportunity to offer amendments, without a single word of debate upon the legislation—the most important of this session. I believe that if the Members on both sides of this House had an opportunity to understand this situation they would vote against this extreme gag. I have voted for so-called gag rules before, but they were really not gag rules as this is. They were made necessary to prevent an unlimited number of amendments and unlimited waste of time in debate. That situation does not exist here today. This is a short bill. Only a few amendments at the most could be offered. No Member need be subjected to any embarrassment by the offering of amendments to be voted upon only in the Committee. It may be that this bill which we are asked to pass today under suspension is the best we can get under all the circumstances. Until this gag was proposed I was willing to accept the judgment of the leadership that it was perhaps the best that we could do, and I did not intend to oppose the bill. I do feel that it is my duty to oppose passing the most important legislation of this session so far under the most extreme drastic type of gag known to the rules of this House; and I call upon all my colleagues who believe that we should legislate in the open, who believe that we do not want to present the spectacle to the American people that the Congress has something here to conceal which cannot be brought out in the light of day, to vote with me and defeat this gag rule.

It may be that a majority of the House will decide; it may be that a majority of the other body will decide that this bill—the Kloeb bill—is all that we can accomplish at the present session; but if so let us let the facts be known so that every Member who wishes to do so may go on record and those who do not wish to go on record need not be subjected to any embarrassment. Let us not let it appear to the people of the United States that we are attempting to conceal something here.

If you believe that the Kloeb bill is the best bill that we can pass at this session under the circumstances, you can vote for it without subjecting yourself to embarrassment; but how are you going to answer the American people if you prevent consideration of the question as to whether amendments may be offered to the bill as you will do if you vote for this resolution to suspend the rules and pass the bill without debate and without amendment?

Mr. MCREYNOLDS. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. KLOEB].

Mr. KLOEB. Mr. Speaker, I desire, first, to commend the chairman of the Foreign Affairs Committee of the House and the members of that committee, my colleagues, for their fine work during the past 6 weeks in the consideration of neutrality legislation. Personally, I come here not to defend, but I come here to maintain. This bill that we are considering needs no defense. We have not forgotten the heart of the McReynolds bill. We have taken the heart from that bill, the section prohibiting loans and credits, and inserted it in this measure.

A year ago I introduced the first neutrality bill in either House of the Congress. It provided for what? Only the prohibition of the making of loans and the extension of credit to warring nations. It was my theory then, and it is now, that this whole neutrality problem has so many diverse angles as that it becomes absolutely impossible to encompass them all in one bill and to have it pass this legislative body. Therefore, I felt that if it is taken up one step at a time—and I considered the loans-and-credit section the spearhead, if you please, of the whole neutrality problem—eventually we would encompass a measure that would cover those points necessary and adequate to plug the holes that contributed toward our entry into the last war.

When the *Lusitania* went to the bottom of the sea she carried on her decks and in her hold, three glaring errors that contributed toward our entry into that war. First, she carried 4,200 cases of ammunition. Second, she carried that ammunition sold on credit. Third, she carried on her decks 159 American citizens going for a joy ride on a belligerent vessel, bound for belligerent shores, and 124 of them went to the bottom of the sea. Hence, a law designed to plug those holes, that would prohibit the sale and exportation of munitions of war, that would forbid the making of loans and the extension of credit wherewith to purchase commodities to conduct war, and that would forbid American citizens to travel on belligerent vessels, would give us a comprehensive neutrality law that certainly, at this time, would accomplish everything that, with safety, we could hope to accomplish in this body. The bill before us meets these very requirements.

A year ago I suggested before the Foreign Affairs Committee in its hearings a so-called cash-and-carry plan. The bill before us brings into effect the cash plan. We have but to bring about, at some future date, perhaps 14 months hence, when this measure shall have expired by limitation, the insertion of section 7-b of the McReynolds bill, which would give to the President authority to invoke the carry plan, if we felt it was necessary and proper so to do.

But to make that sort of plan mandatory and automatic upon the outbreak of a war certainly would be a mistake, because in the event of any little conflict on any part of the globe, it would make us the laughing stock of the world to take our ships from the sea merely because we felt they might become endangered. Because we felt it would have been necessary to make this provision discretionary with the Executive instead of mandatory, and because Members of this body, as well as those of another body, stressed and overestimated the importance of the so-called freedom of the seas, a term that is merely a myth and a meaningless expression at this time—because of those two obstacles I refrained from inserting in this bill the second plan of the cash-and-carry theory, namely, the carry plan. I am satisfied with this measure as it comes before us today. It safeguards us against a repetition of the three errors that the sinking of the *Lusitania* brought so forcibly to the attention of the American people. It affords us a safe and comprehensive neutrality law. [Applause.]

[Here the gavel fell.]

Mr. ROBSION of Kentucky. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana [Mr. LUDLOW].

Mr. LUDLOW. Mr. Speaker, my emotion as I contemplate the wreck of our Nation's hopes in respect to neutrality is best described by a beautifully solemn couplet in Whittier's charming poem, Maud Muller:

> Of all sad words of tongue or pen
> The saddest are these: It might have been.

The truth of this couplet sinks deeply into my consciousness when I think of what we might be doing here today, by the passage of the right kind of a neutrality bill, to protect and save America from being dragged into other peoples' wars and what we are really about to do to expose America to war by passing the pending abortive neutrality resolution.

In anguish the American people are pleading with us to protect the young men of our country from being dragged into the shambles of another foreign war. In reply, we are apologetically telling them that nothing must be done that will disturb our trade with belligerents, which is almost certain to drag them in. The people are crying for bread and we are giving them the hardest kind of a granite stone.

Within a few minutes the gag will be applied and we will have a fateful roll call in this Chamber, and the result of that roll call will be that we will herald to the American people and to the world that the House of Representatives is sacrificing the peace of America on the altar of expediency, because, forsooth, we do not want to go against powerful groups that are opposed to a real neutrality law.

We are fixing things here today so that if another World War should break out during the next year it will be virtually certain that America will be sucked into it, just as it was sucked into the last World War. It seems that we have learned nothing by experience or, at least, that if we have learned we are content to plead that we are supine and powerless to resist the influences that are leading us on.

I make the further assertion that the alleged neutrality resolution which we are passing is not neutral. I make the assertion that in the manner of its operation it is pro-British. I make the assertion that when we pass it we will be playing Great Britain's international game to the *n*th degree.

The title of this resolution should be changed. It should be entitled "A joint resolution to make the United States of America an ally of Great Britain in any war in which Great Britain may be engaged."

This resolution provides that American foreign trade in war materials and supplies shall go on in spite of all wars and in this connection it is important to note that our foreign trade with British countries has grown until it is 43 percent of our entire foreign trade. In 1934, the last year for which complete export statistics are available, our trade with Britain amounted to $842,150,000. In the same year our trade with Italy amounted to only $64,091,000 and our trade with Germany to only $106,649,000, and to other nations we sent goods in proportion, amounting in no instance to more than a mere fraction of our exports to British countries. Would a continuation of that status quo in war time, with Britain as one of the belligerents, be fair to Italy? Manifestly not. Would it be fair to Germany? Manifestly not. Would it be fair to any country in the world that might be fighting Great Britain? Absolutely not. We have built up with increasing rapidity in recent years a vast trade with Britain which, if we continue it as the pending resolution proposes to do after Britain goes to war, will be the lodestone that is almost certain to drag America into war on the side of the British.

Under this resolution it will be impossible for America to remain neutral after Britain goes to war. We will be on her side from the very beginning to protect our profits in the vast quantities of war materials which comprise the normal volume of our shipments, without reckoning the additional pulling power in the increase of orders and profits that may be expected from an empire with such financial resources and shipping facilities as Britain possesses.

If this resolution is to be passed at all it should in all conscience be amended so as to allow only one quota to the British Empire instead of a separate quota to every country included in that Empire. Only in that way could the British quota be held down to a reasonable and fair parity compared with the trade favors that would flow from the United States to other countries in the family of nations in wars in which the British will participate. I do not know at this time exactly the language that might be employed to effectuate this purpose, but it would read somewhat as follows:

"When two or more countries are connected in one governmental system, the entire system shall be treated as one unit in the determination of the amount of exports it shall receive from the United States, and its quota shall be obtained by adding together the normal quotas comprised in the system and dividing the total by the number of countries included in the system."

Unfortunately, under the cloture employed to force this resolution through the House no amendments are allowed.

The passage of this resolution, in my opinion, makes us a British ally and underwrites the success of any war in which Britain may engage with any foreign power. It ought to be enough to cause the British to change their favorite slogan, "Britain rules the waves", so that it will read "Britain rules both the land and the waves."

We may beat about the bush all we want to, but there is only one way to be neutral, and that is to be neutral. We cannot be both neutral and accessory to war. We cannot be neutral and at the same time be a trade ally of a great military and naval power, furnishing to that nation the supplies it needs to carry on its war. In time of foreign convulsions we cannot have our entire foreign trade and national security at the same time. We must give up temporarily our trade with belligerents, and surely that is a small price to pay, compared with the inestimable blessings of peace.

Our trade with all the world amounts to only 7.5 percent of the estimated total value of all movable goods produced in this country, according to the Department of Commerce, which gathers foreign-trade statistics. It is impossible to imagine a situation where a complete embargo on goods to all of the foreign nations that conceivably might be at war at one time would amount to more than an infinitesimal fraction of the cost in dollars and cents of the World War or to more than a mere bagatelle compared with the astounding cost and the inevitable loss of life that would result if we should allow cupidity for profits to snare us into another such war.

The actual direct cost of the World War up to date, as shown by Treasury Department records, is $41,765,000,000, or the equivalent of $60,000 for every day since Christ was born, and that does not take into consideration future pension lists, veterans' hospitalization, and other left-over expenses. President Coolidge probably was not far wrong when he said that the World War will ultimately cost America $100,000,000,000. The total foreign trade of the United States in 1934, the last year for which statistics are available, was $2,100,000,000. Thus it will be seen that if the entire foreign trade of the United States, including all exports of every kind and description, were entirely cut off for 47 years, the loss to the United States would still be less than our part of the financial cost of the World War, based on Mr. Coolidge's forecast, to say nothing of the heart-sickening toll of lives and the terrible burden of grief and misery caused by that war. Therefore, from every standpoint, economic no less than humanitarian, there is a genuine obligation resting upon us to write into the statutes a real neutrality law with teeth in it.

Let us not deceive ourselves. Every dollar's worth of trade with belligerent nations is bought—and dearly bought—at the expense of the peace of America. This resolution now before us turns a deaf ear to humanity and casts the die in favor of the fleshpots and profits of those who make war's merchandise out of our fine young men. In this tragic hour, remembering the millions upon millions of fathers and mothers who are looking to us to keep their sons out of slaughter pens in foreign countries, let us try, with God's help, to realize our responsibility to them. Let us vote down this resolution, and then, in a spirit of consecrated service to humanity, let us take up the subject again and try to enact a real neutrality law.

I cannot conscientiously vote for this resolution, because I believe that it wrecks the hopes and aspirations of the American people, and that in it are the seeds of national danger and disaster. [Applause.]

The SPEAKER. The time of the gentleman from Indiana has expired.

Mr. ROBSION of Kentucky. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. SAUTHOFF].

Mr. SAUTHOFF. Mr. Speaker, I want to register a protest against the method of procedure employed in considering this bill. Last week we spent 5 days considering the appropriation for the Army. One whole hour was consumed on one amendment alone. Next week we will consider the naval appropriations bill. If we take 5 days for that, it will make 10 days for considering the appropriations for the Army and Navy. Together those appropriations will amount to $1,100,000,000. We are allowing for this bill, a more important bill, we believe, to the welfare of the people of this Nation than both these appropriation bills together, 20 minutes to the side, and we are not permitted to offer any amendment to this bill or even discuss an amendment to the bill. Those of us who believe that certain amendments are necessary wish to raise our voice in protest against this gag rule, this stifling of debate, this prohibition against amendments. We believe in offering an amendment calling for a referendum on war in case there is not a foreign invasion. We are prohibited from doing that under this rule. We are told, forsooth that there ought not be any further discussion of the bill. Pass it as it is, because if we do not we do not have anything. Who says so? Who cracks the whip over us and tells us what we must do and must not do? Is there any overlord that gives us orders? [Applause.]

We are charged with the duty of making the laws for our people. We cannot discharge that obligation by sitting in our seats, deaf and dumb with no volition of action save a feeble "yes" when the order is given.

We progressives of Wisconsin respectfully petitioned our Speaker to permit us to consider this measure in a regular, orderly manner, with free and unlimited debate and an opportunity to offer our amendments. This petition I offer herewith so that our position as Progressives may be made perfectly.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., February 17, 1936.

To the Honorable JOSEPH BYRNES,
Speaker of the House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: We the undersigned, constituting the membership of the Progressive Party in the House of Representatives, respectfully petition you and your associate leaders in the House to reconsider the announced intention of bringing before the House the neutrality bill of 1936 under suspension of the rules.

Such a procedure would shut out any and all amendments, stifle discussion and shut off full and complete debate. We, as liberals, deplore such gag-rule procedure on a measure of such vital importance. Wisconsin venerates her great leader, the late Robert M. La Follette, who threw everything into the balance, to challenge a declaration of war. As his followers we are dedicated to the same cause and request that the entire subject of neutrality may be opened to full and complete discussion, with ample opportunity for amendments.

Respectfully submitted.

HARRY SAUTHOFF.
B. J. GEHRMANN.
GEORGE J. SCHNEIDER.
GERALD J. BOILEAU.
GARDNER R. WITHROW.
MERLIN HULL
THOMAS R. AMLIE.

Mr. McREYNOLDS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. JOHNSON].

Mr. JOHNSON of Texas. Mr. Speaker, in the ancient city of Venice on the walls of its armony is this inscription, "Happy is that city which in time of peace thinks of war."

Unfortunately, the nations of the earth in times of peace have too often prepared for war and too seldom sought to create conditions and pass laws to avert it.

Be it said to the credit of the United States of America that it has been conspicuous among the nations of the earth in seeking to promote peace.

The proposed legislation on neutrality is another evidence of our desire to prevent war, and is designed to eliminate or minimize the hazard of our country becoming involved in a war between other countries.

The neutrality bill, which we passed at the last session of Congress, will expire on the 29th of this month, and this

legislation amends that act and will be effective until May 1, 1937.

There were several minor defects in the existing law which are corrected by this bill, but all of the provisions of that act will, under this amendment, remain in effect if this bill is passed until May 1, 1937.

In addition to the provisions of existing law there is added section 1a, which will make it unlawful—

For any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any belligerent country, or of any political subdivision thereof, or of any person acting for or on behalf of such government, issued after the date of such proclamation, or to make any loan or extend any credit to any such government or person.

The Foreign Affairs Committee of the House have had exhaustive hearings upon the subject of neutrality almost continuously since the present session of Congress convened, and also at the last session, and this bill was reported to the House by unanimous report of the committee.

Personally, I prefer House Joint Resolution 422, known as the McReynolds bill, which was reported by our committee to the House on February 14, but it is impossible to secure passage of the McReynolds bill, due to the fact that the existing law will automatically expire within 12 days, and it is necessary to pass some legislation before that time, and a compromise has been effected between the House and Senate whereby the bill under consideration will be passed, and I am therefore supporting the committee in urging that it be adopted.

Those who have spoken against the bill based their reasons principally upon the method by which the bill is being considered. I regret that the early expiration of the present law makes it necessary to resort to this method, known as suspension of the rules, and wish that we might have time to fully debate this important legislation, but objections to the method under which the bill is being considered do not go to its merits. This is either a good bill or a bad bill. No one can justify opposition to legislation merely because he dislikes the method under which it is being considered. The fact that this bill has the unanimous support of the House Committee on Foreign Affairs, which committee has given long and intensive study to this subject, is of itself evidence that the bill possesses merit.

The subject of neutrality is a complex and complicated subject, and the views of those who have given it serious and conscientious consideration are entitled to some weight by the membership of the House.

Someone in the debate has charged that this is a makeshift bill. It is not entitled to be so branded. It has in it seven distinct and specific provisions which are designed to remove some of the causes that might involve us in a foreign war:

First. It prohibits the export of arms, ammunition, and implements of war to belligerent nations, or to neutral nations for reshipment to belligerent nations.

Second. It prohibits the sale of bonds, securities, or other government obligations of a belligerent nation, and also prohibits the making of loans to belligerent nations.

Third. It creates a National Munitions Control Board which regulates and controls those engaged in the business of manufacturing, exporting, or importing arms, ammunition, and implements of war, and requires the exporter, importer, manufacturer, or dealer in such commodities to register with the Secretary of State, so that the Government may have registered all such firms so engaged, and furthermore makes it unlawful for them to export or attempt to export arms, ammunition, or implements of war to any other country without first having obtained a Government license therefor.

Fourth. It prohibits American vessels to carry any arms, ammunition, or implements of war to any port of a belligerent country, or to any neutral port for transshipment to or for the use of a belligerent country.

Fifth. It prohibits the departure from an American port of any vessel, domestic or foreign, that is about to carry out of the port of the United States men or fuel, arms, ammunition, implements of war, or other supplies to any warship, tender, or supply ship of a foreign belligerent nation.

Sixth. It provides that during any war in which the United States is neutral, if the President shall find that special restrictions placed on the use of ports of the United States by submarines of foreign nations will serve to maintain peace between the United States and foreign nations, or to protect the commercial interests of the United States and its citizens, or to promote the security of the United States, and shall make proclamation thereof, it shall thereafter be unlawful for any such submarine to enter a port or the territorial waters of the United States or any of its possessions, or to depart therefrom, except under such conditions and subject to such limitations as the President may prescribe.

Seventh. It provides that during any war in which the United States is neutral, if the President shall find that the maintenance of peace between the United States and foreign nations, or the protection of the lives of the citizens of the United States, or the protection of the commercial interests of the United States and its citizens, or the security of the United States requires that American citizens should refrain from traveling as passengers on the vessels of any belligerent nation, he shall so proclaim, and thereafter no citizen of the United States shall travel on any vessel of any belligerent nation except at his own risk, unless in accordance with such rules and regulations as the President shall prescribe.

Someone expressed opposition to the bill because it was not mandatory and delegated authority to the President. Five of its prohibitions are mandatory and the President has no discretion whatever, and only the two relating to the use of American ports by submarines and the travel of Americans on belligerent vessels are left to the President's discretion, and even in these the delegation of discretion is so circumscribed that it is practically mandatory, since he is required to act if either of a number of contingencies therein mentioned should arise.

Under the existing Neutrality Act, which this bill extends, President Roosevelt has already issued a proclamation prohibiting Americans from traveling, except at their own risk, upon belligerent vessels in the present war between Italy and Ethiopia.

The value of this legislation is fourfold:

First. It proclaims to the world that the United States stands for peace and will not become involved in the wars between foreign countries.

Second. It sets an example in pioneering in the passage of neutrality legislation which it is hoped that other governments may emulate.

Third. It discourages war between other countries by our Government refusing to furnish arms, ammunition, or implements of war and also credit. No war can be successfully carried on without these, and a bill that prohibits our country or its citizens from contributing these essentials of war is a substantial discouragement to the conduct of war by other countries.

Fourth. It removes some of the irritating causes which might lead our country into war by restricting our citizens in their dealings with belligerent nations. We cannot pass any legislation here that will prevent war, for war is produced by a state of mind, and when the passions of a people become inflamed, war is inevitable. But we can remove some of those irritating causes when other nations are engaged in war which will make it less likely that we shall become involved therein.

We are still paying the penalties of the last great war, and our children and the generations yet to come will continue to do so. The signing of the armistice and the subsequent treaty of peace ended hostilities, but it did not end the suffering and sacrifices of our people nor of the other peoples of the world.

I am glad, therefore, to vote for this resolution, which is designed to and I think will materially reduce the danger of our country's becoming involved in war if other nations should decide to fight.

The prevention of war is one of the highest duties that government owes society, and any nation that will not take

every precaution and use every legitimate means to avert the holocaust of war is unworthy to stand among civilized nations of the world.

[Here the gavel fell.]

Mr. ROBSION of Kentucky. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. MAAS].

Mr. MAAS. Mr. Speaker, this is a dangerous bill. I want to warn you that the consequences of this policy are going to be more far-reaching than any of us apparently see here. I want to warn you that this is a change in fundamental policy and one that we should consider very, very carefully.

If this policy had been general throughout the world a hundred and sixty years ago, there would be no United States today; and should any nation in the future, particularly an oriental nation, engage this Nation in war, and if Europe should have this policy, the United States would be defeated and conquered.

What we are saying to the world is that now that we are a strong, powerful Nation, we do not care to become involved in wars with anybody, that we do not care about the quarrels of the rest of the world, that we do not care if a strong, avaricious country invades a weak, peace-loving country, and regardless of the merits of such conflicts, we are going to keep out of them so that we do not have to become involved. [Applause.]

This is the most cruel, most un-American thing I have ever seen or heard in this House. We are saying to the world that strong nations that are greedy can gobble up the rest of the world because we will not even let invaded peoples get supplies with which to defend themselves. The result will be either that within a few years two or three nations will control the world, or else we shall see the greatest race of armament building and storage of war supplies the world has ever seen; and if the storage of war supplies is an incentive that leads to war, then we shall have nothing but wars from now on.

This is not neutrality at all. This is enforcing League sanctions in disguise. This policy, no matter what you label it, is taking sides with the strong, well-prepared militaristic nations against the small, peaceful nations. It is a cowardly surrender on the part of a strong Nation to the bullying of the League of Nations. It is a dangerous surrender of American ideals to timid political expediency. In the blind hope that it may keep us out of becoming involved in a war, we are sacrificing our independence and our traditional policy of giving moral support to weak, oppressed peoples. As a matter of fact we are in reality launching a boomerang that one day will return to strike us a terriffic blow. The day will come when we ourselves will need assistance to defend our very national existence. The nations who are being discriminated against now by us will not forget. We will pay for our selfish surrender of our traditional neutrality.

It may sound very neutral to say that we will sell to neither party engaged in war. But back of the sound we will find just the opposite result.

In most cases it is only one nation which desires or needs to obtain supplies from us. Therefore a flat embargo effects only one side in such a war, and our so-called neutral policy makes us, in effect, a participant. This will eventually much more endanger our peace than preserve it.

While for a time we may escape involvement in foreign wars, the ultimate outcome will be that a few powerful, militaristic nations, unchecked by anything, will gradually create a situation of world-wide conquest, and the time will come when we alone will be left in the way of their complete world dominance. As surely as we take this attitude of smug indifference now, we ourselves will then become the object of attack and invasion. We are not self-sufficient in all materials necessary to conduct a long war of defense. We absolutely depend upon importation of many things to carry on even self-defense of the United States.

If we are to close the door to other nations of necessary supplies to enable them to defend themselves against invasion, then they will do likewise to us.

If this is to be the situation, it will be necessary for us to immediately provide for enormous stores of certain supplies that we do not produce in this country but without which we cannot defend ourselves against invasion. This will require hundreds of millions of dollars a year. Yet, if we value our independence, its continuance makes such expenditures absolutely mandatory.

There is a way to avoid all this, to avoid becoming embroiled in the quarrels of the world and yet retaining the typical friendly neutrality that has always been our American policy.

Our position should be that we are friendly with all of the peoples of the world and perfectly willing to sell them anything they need if we have it. However, since we do not propose to again be drawn into outside wars to protect war loans nor shipments in time of war, we should prohibit loans for war purposes to anyone. We should permit unlimited purchasing in this country on condition that such supplies are sold for cash only and carried on ships provided by the purchaser and not flying the American flag. This treats all nations alike and shuts the door to none. This is real neutrality and has the following advantages.

First. It would not entangle us in a war through foreign credits.

Second. It would not embroil us through a "freedom of the seas" issue.

Third. It would free us from the embarrassing decision as to what are and what are not war supplies.

Fourth. It would free us from the odium of declaring what country was the aggressor.

Fifth. It would not only treat all combatants alike but would not work a hardship on the weaker countries that have been unable to amass war supplies in advance.

Sixth. It would maintain our foreign trade with all the risks of warfare assumed by the countries so foolish or so unfortunate as to be involved in war.

Seventh. And, finally, it would be so simple to interpret and to enforce, and so fair and free from offense to all nations, and withall so efficient, that it ought to be adopted as our national policy. [Applause.]

[Here the gavel fell.]

Mr. McREYNOLDS. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. HEALEY] such time as he desires.

NEUTRALITY

Mr. HEALEY. Mr. Speaker, the action of the Committee on Foreign Affairs in deciding not to pursue its earlier course of attempting the passage of House Joint Resolution 422 as reported by it, and in urging instead the passage of the present resolution under consideration, is certainly wise and sound. I know its decision is the result of thorough and conscientious study which the members of this committee have given to this problem over a long period, and it is indicative of the sound and unbiased realism with which they have dealt with this complicated problem.

To have persisted in its efforts to pass a bill embargoing such commodities as oil and cotton would certainly have placed the safety of this Nation in grave danger, and our international relations would have indeed become precarious if such legislation had been enacted. [Applause.]

I understand that there is some opposition to the course of the committee on the part of well-meaning members. This group desired to amplify our present neutrality legislation so as to include commodities and materials which may be used in the conduct of war, at least to limit their exportation from this country to belligerents to the normal peacetime shipments. Now, I know that these gentlemen are animated by the same desire as those of us who have opposed any change in our present neutrality policy. They are inspired by the highest patriotic motives, and they sincerely believe that such a policy is the best means of insuring the future peace of our country. However, I feel that these gentlemen, although well-meaning, are absolutely erroneous in their conclusions that such restrictions of shipments of commodities would insure our future peace. On the contrary, it is my sincere belief that such a policy would have

the tendency under present conditions and circumstances to draw us into war. The precedents of international law are contrary to the principle of a neutral nation changing its policy during the progress of a war. At such a time the embargoing of any commodity may have the effect of unequally affecting one belligerent more than another, in which event, according to the tenets of international law, such an act may be considered by such belligerent as unfriendly, unneutral, and hostile.

This position was clearly and expressly declared in the well-known note to Germany in 1915 in the course of which President Wilson stated:

> This Government holds and is constrained to hold, in view of the present indisputable doctrines of accepted international law, that any change in its own laws of neutrality during the progress of a war, which would unequally affect the relations of the United States with the nations at war, would be an unjustifiable departure from the principle of strict neutrality.

The eyes of the world are upon the action of this Congress today. This legislation is of tremendous importance and it is fraught with many possibilities so vital to our own future happiness and security. Thousands of our own citizens of Italian extraction, who are naturally interested in the fate of the mother country, are looking anxiously toward us. They have been fine, industrious, patriotic citizens, men and women who have hallowed our shores with their homes, have raised their families here and given willingly of their children to the service of their adopted country in the World War. Surely, the American people recognize too great a debt of gratitude to Italy for its contributions to this Nation in the development of our common country and our civilization in the realm of exploration, arts, sciences and other fields of human endeavor to pass legislation, which by all accepted principles of international law, would amount to an unfriendly and hostile act toward a traditionally friendly nation.

To have passed section 4 of the McReynolds bill, in my judgment, would have been to circumvent the overwhelming sentiment of the American people for that bill with that section embodied in it would have committed us to the policy of the League of Nations' sanctions.

The American people have shown on more than one occasion their whole-hearted opposition to the League of Nations, the World Court, or any of its offshoots. Yet for many months now those nations comprising the League of Nations through the use of subtle propaganda have attempted to commit this country to a policy which would have meant the carrying out of their own ends. The League of Nations has not yet taken action to put in effect its sanctions on oil and cotton, but has obviously been waiting for the United States to lead the way and to take upon its shoulders the responsibility and onus for carrying the League of Nations' own policy.

Now, Mr. Speaker, the American people do not desire to be projected into the whirlpool of dubious diplomacy and intrigue of Europe, but want only to safeguard their own future peace and security.

Mr. Speaker, it is with a sense of gratification that I will cast my vote for this bill because I believe it will best serve the interests of our common country and because I believe that such legislation is the only sane measure to pass under present circumstances.

Mr. McREYNOLDS. Mr. Speaker, I yield to the gentleman from Arkansas [Mr. McCLELLAN] such time as he may desire.

Mr. McCLELLAN. Mr. Speaker, nothing is or can be more important to this Nation than establishing our neutrality and the preservation of peace. We are a neutral Nation. The American people are neutral. We hope to remain so. For that reason, with that purpose in mind, and prompted by no other motive, we deem it appropriate that we, through legislative enactment, should give expression to the sentiments of the American people in the hope that such affirmative action will hinder and obstruct evils that have a tendency to lead us into war.

We all agree that we are neutral, and maintenance of peace is our highest aim. In this problem we have a common goal, and our only differences are in the means to be adopted and pursued in achieving this paramount objective.

Various proposals for keeping us out of war have been offered and advocated, many of which would, I believe, incite war rather than render it less probable. In being neutral we must respect the rights of other people and pursue a course that we would be willing to accord other neutral nations if we ourselves were at war.

It therefore behooves each of us as Members of Congress to give this legislation our best thought and study, and I submit for your consideration six major principles that should be embodied and observed in the formation of our national policy of neutrality.

First. Proclaim by appropriate enactment of law a policy of strict neutrality which can only be interpreted as meaning that we shall abstain from any participation in the conflict that would contribute to the assistance of one of the contesting powers involved, to the hurt and injury of the other, and that we are and shall remain the common friend of all the belligerents so long as our rights as a neutral are not trampled on or violated.

Second. Be adequately prepared to successfully defend against attack by any foreign foe and to enforce by force, if necessary, our purpose to maintain our declared policy of neutrality.

If we are to make certain our ability and power to meet such contingencies or emergencies if and when they arise, in view of the armament race now being conducted by foreign nations, it is imperative that our military facilities, arms, and equipment be increased and kept to a strength that will impress and deter those who would disregard or attempt to challenge and obstruct our efforts to preserve peace, and likewise to insure success of our military operations should war be waged against us. In this connection I would emphasize the importance of building an air fleet that will establish our supremacy in this branch of military preparedness. If this arm of the Service is not already so recognized, it is rapidly becoming our first line of defense, and to neglect it, in my judgment, may be a costly blunder. We should announce to the world that we are building and it shall be our national policy to maintain to the limit of our skill and resources the greatest air force of any nation in the world; that we intend to ever be supreme in the air, not for the purpose of aiding one belligerent against another in broils across the sea, but solely to safeguard our own peace and neutrality.

Mr. Speaker, I know it is regrettable that such a policy and course as this must be undertaken. We do not want war, we have never wanted it, and desire it less today than ever, but we cannot escape it if we neglect to prepare to enforce peace. The dictators of Europe, when it suits their convienience, regard treaties with other nations as mere scraps of paper and formulate their policies and actions accordingly. They apparently do not understand nor respect the language of peace predicated on the principles of liberty, freedom, and justice. But there is a language they fully understand and respect—the language spoken in the thunderous tones of the "heaviest artillery." We must be able to speak this language if necessary to insure our safety. Had we been thus prepared our neutrality would not have been violated during the World War, a war that has cost us to date $50,000,000,000 in addition to the sacrifices of many human lives and untold misery and suffering. Five billions of dollars expended between 1914 and 1917 for adequate preparedness would have safeguarded our neutrality and permitted us to escape the awful penalties that war has exacted. We cannot underwrite the peace of the world; it would be suicidal folly for us to ever undertake it. We can act wisely, guided in the light of past experience, in making secure the peace of this Nation. That is our task, and a great responsibility it is, and in the performance of it we must ever be alert and sensitive to trends and conditions that exist on other shores.

Third. There should be no abandonment, either expressed or implied, of the Monroe Doctrine. It should be reasserted lest it be overlooked by those nations that seek territorial expansion.

Fourth. In the event of war we should place an embargo on arms, ammunition, and implements of war to the bel-

ligerents, prohibit loans to foreign powers for their use in financing military operations, and provide that American citizens traveling on belligerent ships do so at their own peril. To restrict the sale, for cash, of commodities, goods, and merchandise, which we produce in normal peacetimes would be an unnecessary and unjustified surrender of our rights and would be a self-imposition of sacrifices beyond the limits that neutrality implies or demands.

Fifth. We must refrain from delegating to the President of the United States or to any other authority or agency powers that are reserved to Congress. The authority and responsibility for policies, acts, or procedure calculated to lead to or have a tendency toward the severance of diplomatic relations, and ultimately to war, should be retained, insofar as it is legislatively possible, in those whose duty it shall become to bear arms and make the supreme sacrifices on the altar of war. The responsibility for determining who is the aggressor in any war should be in Congress, who alone can declare war, and not in the Chief Executive. While at peace and with no acute emergency existing the delegation of such powers and the clothing of the Chief Executive with such authority could not possibly promote the preservation of peace, whereas if they should be granted and unwisely exercised they might easily and quickly plunge us into a war that may have otherwise been avoided.

Sixth. Congress should enact a law, as sponsored by the American Legion, that will, insofar as it is possible, eliminate excess profits in time of war and that provides for the conscription of industrial and material resources as well as the manpower of our country. More war millionaires should be made impossible. The American people will demand that in the event the manpower is ever drafted again. It is a most righteous demand, and one that Congress will find a way to grant.

Mr. Speaker, if these six fundamental principles which I have briefly outlined are observed and followed in our efforts to enact neutrality legislation and provide for our national defense, it is my humble judgment, sir, that we will thus form a policy that will make secure our national safety and existence, and one that will pay generous dividends of peace throughout the years to come.

Mr. McREYNOLDS. Mr. Speaker, I ask unanimous consent that all Members speaking on this bill may have the right to revise and extend their remarks.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will not the gentleman include all the Members in his request?

Mr. McREYNOLDS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. McREYNOLDS. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. JOHNSON] such time as he may desire.

Mr. JOHNSON of Oklahoma. Mr. Speaker, the pending measure proposing to extend the Neutrality Act passed at the last session of Congress, and which expires on the 29th day of this month, will receive my support on the theory that it is considerably better than no bill at all.

I do not agree with the statement made a few minutes ago by the gentleman from Texas [Mr. MAVERICK] that the pending neutrality resolution is worse than nothing. If I remember correctly, the gentleman from Texas supported the original resolution last year, and it is generally conceeded that this measure goes considerably further in an effort to preserve American neutrality with the nations of the earth than does the present law, which is about to expire. Surely the gentleman from Texas is not very consistent when, in his enthusiasm to create sentiment against the pending resolution he states that it is worse than nothing.

As pointed out by the gentleman from Ohio [Mr. KLOEB], who has made an extensive study of the subject of neutrality, in which the American people are so vitally interested, this measure at least will plug three holes that all of us agree must be plugged before we can even approach the possibility of maintaining absolute neutrality in case of war: First, this resolution prohibits the selling of munitions to nations at war; second, it prevents credit being extended to a belligerent nation for the purpose of waging a war; third, it prohibits American citizens from traveling on a vessel of a belligerent nation.

To say that such a law is worse than nothing is, of course, absurd. Had such a law been in effect at the beginning of the World War there would have been no occasion for the sinking of the *Lusitania*. It is a matter of record that the *Lusitania*, that was sent to the bottom of the sea by a German submarine, was loaded with munitions of war that had been sold to Great Britain on credit. That old ship was loaded down with 4,200 cases of ammunition. There were also more than 200 pleasure-seeking Americans aboard the ship, although they had been warned not to travel on the high seas on ships bearing munitions of war. So it is certainly a farfetched statement to say that the pending law is worse than nothing.

On the other hand, Mr. Speaker, it had been my sincere hope that the committee would present a more comprehensive and a more drastic measure than the pending resolution that we are called upon to pass today, without the opportunity of offering an amendment, if we are to have any neutrality legislation.

It is significant that most of the argument made thus far by the opposition to the pending resolution is not against the resolution itself but against the so-called gag rule under which the House is operating at this time. I do not like gag rules. I have voted against gag rules and talked against them many times in the past, but the mere fact that I am personally opposed to a gag rule certainly will not prevent my supporting any measure that has much merit as has the pending neutrality resolution. [Applause.]

Mr. Speaker, it is my understanding that if and when this resolution is passed it will expire within about 14 months. In the meantime the American people will at least have a breathing spell from the probability of America's being dragged into any foreign war. Do not tell me that is worse than nothing. Do not tell me that is not worth the effort put forth by the committee. We heard our distinguished chairman say this is the best compromise measure possible to secure at this time, and we know that he is an honorable, truthful gentleman who has the confidence and respect of every Member of this House, irrespective of political affiliations.

Let us support the pending resolution today—a resolution that is at least a great forward step toward maintaining the peace of the world. Then let us come back here next year and pass a more far-reaching bill with real teeth in it. [Applause.]

Mr. ROBSION of Kentucky. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, in substance, the Committee on Foreign Affairs comes before the House today and states that 12 days from now, on the 29th of February, the present neutrality legislation expires. They tell us that certain obstacles have risen in connection with the McReynolds bill; therefore, they must resort to this kind of legislation in order to save the gains that have been made for neutrality.

Mr. Chairman, that is a very weak and ineffectual case. They are asking for an extension of 1 year. May I remind the chairman of the Foreign Affairs Committee that when the banking bill of 1935 was impounded in committee and it became necessary to resort to interim legislation to prevent a lapse in some of the provisions in order to keep alive the temporary Deposit Insurance Corporation fund there was brought before this House a resolution, effective for a short period, until the Senate and the House could finally act upon the banking bill of 1935. Instead of begging the question, I say to the chairman of the Foreign Affairs Committee, why does not the gentleman bring in a resolution that operates for only 60 days? In that 60-day period his committee, which is not overburdened with work any more than other committees, will have ample time to give consideration to the original bill. This, of course, would allow 60 days; and

certainly every Member of the House is sufficiently interested in the fundamental policy of neutrality to give generously of his time in order to consider the original bill fully and carefully.

I know of nothing pending before the Foreign Affairs Committee that is especially weighty or pressing, and in that 60 days the committee could give uninterrupted attention to fashioning a bill that is something more than a makeshift.

If at the end of that time the committee could come to no resolution on a bill, there will still be time to resort to a suspension of the rules and pass a joint resolution providing for an extension of the old bill with such amendments as could be agreed upon by members of the committee. But for some unaccountable reason this makeshift is being rushed through today and the committee has made out no case for such action.

If the pending motion to suspend the rules is adopted today and is followed by favorable action on the alleged neutrality bill, it will mean that after only 40 minutes of debate this House will have disposed of one of the most important matters of national policy that was presented to any Congress. It will mean also that once more the profound hopes of the American people will have been frustrated.

Our people knew precisely what they wanted in the late summer of last year when the stopgap-neutrality measure was adopted. They wanted to keep out of and keep away from war. Because of the long duration of the first session of this Congress they were satisfied with that measure as a temporary expedient, and looked forward to the present session for a real rather than a makeshift law. Now after extended hearings before the House Committee on Foreign Affairs on various neutrality measures, the result is that no agreement has been reached and no new action is contemplated on a real neutrality measure. Apparently the whole thing was a mere gesture only to end in the sharp disappointment of the hopes of the people.

If this motion prevails today it will constitute complete surrender to confusion. It will bear grim testimony to the complete indifference of this Congress to what is happening in foreign nations today. There will be slender smiles in Geneva. League observers and spokesmen contemplating the friction on the border between Mongolia and Manchukuo, the conflict in Ethiopia, the growing friction between Russia and Japan, the disquet in Germany, and the temper of France are already prophesying that war in Europe is inevitable within the next few months or a year. And today they will smile because the United States will once more provide the raw materials with which to prosecute such a war.

Meanwhile the Congress has developed a stalemate on the question of eating our cake and having it too, and rather than take the time to go into the matter thoroughly it prefers the ostrich-like policy of sticking its head in the sand. If it approves this motion and then supports the bill, it means that it prefers to take 40 minutes to wash its hands of this momentous matter without regard for what effect this unsettled state of affairs in Europe may have upon the lives of millions of our young men.

It has been said that this is about all we can safely do at this session. No less an authority than Walter Millis, whose book Road To War fired the imagination of the people, now comes forth to say that "the present compromise is all that is practical now." Even so profound a student as Walter Lippmann poses the question, "Why, then, must this momentous question be dealt with in such a hurry?" The answer is that a prudent man does not wait to insure his house when there is fire in the vicinity. How strange that this Congress will enact a $2,000,000,000 bonus measure which is the direct inheritance of the war and vote three hundred and seventy-six millions for national defense in anticipation of conflict and then exhibit a certain kind of mental indolence toward a policy which is hoped to make a recurrence of the former impossible and gradually reduce the latter. Does such a problem not merit more than 40 minutes of this Congress' time? Cannot we afford to take some of the many Saturdays during which the House has been in adjournment for a proper discussion of this problem?

For many weeks the press was filled with accounts of the investigations on the other end of the Capitol, the findings of which we felt were to be the background against which a new and genuine neutrality measure was to be pitched. The public mind was being prepared for a neutrality policy. We have gone back into history to indicate that Secretary Lansing took sides and shaped our national policy in the direction of the Allies. We went back to show that Secretary Stimson sought to use the Kellogg pact for inciting League action against Japan in the Manchurian controversy, and very currently attempts have been made to show that Secretary Hull was trying to aline this Nation with Great Britain in an effort to smash Italy. In addition, such questions as the freedom of the seas, the right to trade with belligerents, and the effect of various kinds of neutrality on our internal economy have all been examined and reexamined at great length by experts and students of foreign affairs. It appeared that every conceivable angle of the neutrality problem had been examined and that ample data had been acquired on which to predicate a sound policy. With all this preparation, the people have been led to the mountain of hope to regard the kingdoms of peace below, only to find that it was a mirage of 40 minutes' duration. Is that to be the answer of this Congress to the American people on this momentous question? What a sad accounting of our stewardship we must give when this body adjourns to return home unless this question of neutrality receives the thorough and forthright attention which it deserves.

Insofar as I can determine, we have been genuinely unwilling to meet the question of what commercial and economic sacrifices we are willing to make to achieve neutrality. Apparently we are willing to have absolute neutrality if it costs us nothing. We are willing to have neutrality if we can preserve such traditions as freedom of the seas and the unrestricted right to trade. We insist on placing profits first and neutrality second. We refuse to determine the most important question of all in the neutrality discussion, and that is how much we are willing to pay to prevent a recurrence of those hectic days of 1917 and 1918 and those shadowy years from 1933, in which economic dislocation, resulting directly from the distortions of war, have filled the land with suffering and distress. And, rather than perturb ourselves to find a satisfactory answer to the problem, we are willing to devote 40 minutes to its discussion in order to remove it from the field of immediate controversy.

I do not essay the role of a prophet, but who knows but what these might become the most momentous 40 minutes in American history.

Mr. ROBSION of Kentucky. Mr. Speaker, I yield one-half minute to the gentleman from Maryland [Mr. LEWIS].

Mr. LEWIS of Maryland. Mr. Speaker, a half minute is ample for my purpose. I merely wish to say that I feel it to be my duty to vote against the motion of our much honored chairman of the Committee on Foreign Affairs.

[Here the gavel fell.]

Mr. LEWIS of Maryland. Mr. Speaker, I ask unanimous consent to continue my remarks by inserting an editorial of the Baltimore Sun on this subject, dated February 15.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. LEWIS of Maryland. Mr. Speaker, the editorial to which I refer reads as follows:

PROFITEERS WIN

We shall be left for another year, at least, with a law that forbids the shipment of ammunition and guns to countries at war, but that does nothing to prevent the shipment of munitions in the broader sense; that is, essential raw materials and the like. That this will play largely into the hands of Italy, an aggressor nation, is evident. Italy has gun factories and other plants in which it can make its own ammunition and weapons, but it needs raw materials, which, under the present policy, American companies are legally permitted to supply. Ethiopia has no factories to speak of. It must buy its munitions ready-made, but under the American policy, which is now to be continued for 15 months, it cannot buy them here.

Moreover, it has by now become quite apparent that although the League sanctions adopted to date have hampered Italy, they have not yet brought the aggressor to the pass where it would be compelled to suspend hostilities. It is generally agreed that only by broadening sanctions to include such essential materials as oil might this be done. There was, of course, a question as to whether the League powers would be willing to go that far in any case, but now it seems certain that they will not, for it cannot be expected that they will forbid their own oil companies to sell to Italy while American policy permits American companies to sell without restraint and to reap the huge profits arising from such commerce.

Abandonment by the Administration of its neutrality bill represents a victory for those shipping, industrial, and other interests that have been quietly lobbying against the bill in the last 4 or 5 weeks. These interests have no qualms about making "blood money" out of war trade, even though that trade might involve the United States in war. The administration's change of front also constitutes a victory for * * * "isolationists" who on the one hand demand that the country keep scrupulously aloof from all collective efforts to promote international amity and peace, and on the other hand insist that we must be ever ready to defend our "rights", including our "right" to carry on our trade at any time, in any place, under any circumstances and at any cost, even at the cost of war.

At the same time, this action must be put down as a defeat for those who felt that through neutrality legislation, vesting certain discretion in the President, the country could assist in collective efforts to preserve peace by taking concerted action against an aggressor. It is also a defeat for the other neutrality school which, having little faith in League sanctions, favors automatic and mandatory embargoes in the belief that the best way of keeping the country out of war is by temporarily withdrawing from all economic contacts with belligerent powers that might give rise to actual conflict.

War profiteers will naturally benefit by the present policy, but the Government and Nation may suffer, for it means that we shall have to continue to drift for another year without any substantial control whatever over any of the more likely economic causes of war, and without any authority to participate in any kind of collective movement for the preservation of peace.

Mr. McREYNOLDS. Mr. Speaker, I yield such time as he desires to the gentleman from Minnesota [Mr. CHRISTIANSON].

Mr. CHRISTIANSON. Mr. Speaker, I want to say at the outset that personally I feel that this bill does not go as far as it should; I should rather vote for legislation following the lines of the so-called Maverick-Nye bill, which is much broader in its provisions than the present measure. Like others, I do not like to see legislation as important as this come up with so limited opportunity for discussion.

Nevertheless, I shall vote for suspension of the rules for the reason that if we do not extend the operation of the law we passed last August, it will expire by its own limitation on February 29. If we fail to act we shall leave the country without any neutrality law.

I for one do not want to assume the responsibility of the consequence which might flow from delay. If the present law should be permitted to lapse it would become lawful on and after March 1 for American ammunition manufacturers to ship their products to Italy or Ethiopia or any other nation that might become involved in war. Belligerents would in fact become vested with a right to buy implements of war in the United States. We should then find it embarrassing to enact even legislation merely restoring the provisions of the present law, for by doing so we should deprive belligerents of an existing privilege and thereby make ourselves unneutral. [Applause.]

If we should permit the existing law to lapse we should be in a different situation from that in which we were last August. Then the whole world was at peace. Now two nations are at war, and if we should, after even a brief intermission, enact legislation depriving them of any right they had during that intermission, and if the deprivation should result in greater disadvantage to one belligerent than to the other, we should become unneutral, even although the sole purpose of the legislation was to safeguard our neutrality.

It is not the purpose that motivates our policy, but the consequences which flow from it that will determine whether our action is neutral or unneutral. It is because of that consideration that I deem it wise to part company for the time being with those of my colleagues who, like myself, favor a measure with more teeth in it, but who, unlike myself, seem willing to jeopardize what we have gained heretofore in a futile protest against a parliamentary situation that prevents us from getting more.

I cannot agree with those who contend that the bill we are now passing is a poorer bill than the one which the Committee on Foreign Affairs first recommended. To me it is infinitely better. It is better, for one thing, because it is in all of its provisions mandatory. It does not leave dangerous discretionary power—the most dangerous of all discretionary powers, that of involving the Nation in war—to the President.

Mr. Speaker, there are some significant coincidences—I hope they are coincidences—to which I wish to call attention.

First, for 3 years the present administration has sought to secure legislation giving the President power to impose discretionary embargoes.

In 1934 it was proposed that in the event of war in any part of the world, the President should have power to designate and to impose embargoes against the aggressor. That proposal was rejected by the other body.

In 1935 it was proposed that the President should have the power, not to designate and to impose embargoes against the aggressor, but to impose embargoes applying impartially to both or all belligerents, whenever he saw fit to do so. This might seem to insure neutrality, but in fact it would not, because an embargo might operate with greater disadvantage to one belligerent than to the other. Accordingly, we refused to entrust the President with that power, as a discretionary power, believing that its exercise would be likely to involve us in war instead of keeping us out.

We forced the Chief Executive to accept a mandatory measure which requires him, as a matter of duty and not of discretion, to place an embargo on arms, munitions, and implements of war whenever two or more nations become involved in hostilities.

Second, the League of Nations, in an effort to stop Italian operations in Ethiopia, concluded to shut off Italy's supply of petroleum. The effectiveness of this measure depended upon cooperation by the United States. Despite the fact that the United States had refused to join the League of Nations, or to assume any responsibility in relation to any sanctions the League might impose, the President tried, without lawful authority, to stop the exportation of petroleum to Italy. In effect, he tried to involve the United States in responsibility for the enforcement of policies in the formulation of which the United States had had no voice. He tried to make the United States, which is not a member of the League of Nations, an auxiliary to the League.

Third, finding that he could not stop the exportation of petroleum under the act of August 31, 1935, the President asked for the enactment of the McReynolds bill and particularly section 4 thereof, which proposed to give him power to embargo the raw materials used in war, one of which is petroleum. But note that section 4 was not, like the present neutrality law, mandatory. It was discretionary. It was so worded that if it suited the purpose of the League of Nations to have an embargo imposed, the President might impose it; but if it suited the purpose of the League not to have an embargo imposed, the President in the exercise of his discretion might refrain from imposing one. It is conceivable that if England and France should become involved in the present war, they would be best served, in the event that they succeeded in bottling up the Italian fleet in the Mediterranean, if American petroleum remained freely available. The President, under the McReynolds bill, would have had the discretion in that event not to impose an embargo. The administration bill was designed to give the President a blank power of attorney empowering him to take sides in any war in which he might wish to participate. It was not a neutrality bill. It was a bill to aid unneutrality. The present measure is infinitely preferable.

Third, is it or is it not significant that at the very time these efforts to aid England and France were being made Congress was asked to appropriate the unprecedented sum of eleven thousand million dollars for the Army and the Navy? Does it portend that in 1936 or 1937, as in 1917, we

shall be called upon to pull more European chestnuts out of the fire? Is it necessary for us again "to make the world safe for democracy" or to fight a "war to end war"?

I shall not attempt to answer my own questions, but shall content myself with making the observation that the sequence of events indicates that it is highly desirable that those Americans who still believe that the best way to preserve peace is to avoid foreign entanglements stand vigilantly on guard.

Mr. ROBSION of Kentucky. Mr. Speaker, ladies and gentlemen of the House, no person in this broad land of ours is or could be more sincerely opposed to our country entering into entangling alliances with foreign nations, or more sincerely and earnestly in favor of world peace than I am.

This measure affects every man, woman, and child in this country, as well as our relations with all of the other countries of the earth. To me it is unthinkable for the Democratic majority to crowd such an important measure through under this "gag" rule. We are allowed only 20 minutes' debate on each side. Honestly favoring neutrality and world peace, I am opposed to the form of this so-called neutrality resolution and this "gag" rule. Think of it. Last week we spent 5 days considering the Army appropriation bill. Two or three days of this time were spent largely in the making of political speeches for home consumption. Nearly all of the matters contained in the Army appropriation bill were merely routine matters, and had been approved by the various Congresses over a period of many years.

The proposed neutrality legislation embarks upon a new field, and it is of vital importance to the people of our country, yet we are limited to 20 minutes' debate on each side. There must be an Ethiopian in the woodpile somewhere. The administration is unwilling to have this measure and policy fully and thoroughly aired on the floor of Congress. The administration leaders urge that the makeshift measure passed last year, expires the last of this month, and there only remain about 12 days for us to act. That certainly is no excuse for limiting debate to 20 minutes on a side. The makeshift so-called neutrality bill was pushed through under the similar circumstances last year. Large sums of money have been expended by various committees investigating this subject. The mountain has labored and brought forth this mouse. It looks as if the administration has delayed purposely the bringing up of this important question until now so that it could be crowded through without investigation or debate on the floor of the House.

The Democratic leaders say that the munition makers have obstructed real neutrality legislation. Yes; I have been informed that the munition makers have put their O. K. on this gesture toward maintaining the peace of our country. Is that any reason why the representatives of the American people in Congress should not pass a measure that will secure the peace of our country?

I do not like this measure because it gives to President Roosevelt the discretionary power of declaring when a state of war exists between any two nations. It clothes him with the power to project us into a war with foreign countries. The Constitution provides that Congress shall have the power to decide war. I want that power to remain with the chosen representatives of the people, the Congress of the United States, and I am unwilling to delegate any such power to the President. If the American people are to go into any war, let Congress, as provided in the Constitution, be the judge as to when and how we shall enter any such war. President Roosevelt has been a strong advocate of entangling alliances with foreign countries. In 1920, when he was a candidate for Vice President, he traveled from one end of this Nation to the other making speeches in which he strongly endorsed the League of Nations, and urged the people of this country to elect Governor Cox and himself, and thereby insure our entrance into the League of Nations. The American people rejected that proposal. They have done likewise ever since when they have had an opportunity to vote on that question. Less than 1 year ago President Roosevelt urged the United States Senate to ratify the World Court proposal, which we all know provides entrance to the League of Nations through the back door. President Wilson and his party could not get us into the League of Nations by the front door, and since Roosevelt has become President he insists that we go into the League by way of the back door, but the United States Senate turned down his proposal.

The munitions investigation discloses that President Wilson and his associates were not neutral, and by their meddling with the affairs of foreign countries we found ourselves involved in the World War. President Roosevelt was Assistant Secretary of the Navy under President Wilson. In 1916 President Wilson and Mr. Roosevelt and others urged the reelection of President Wilson because "Wilson kept us out of war." The American people accepted these statements, voted the Democratic ticket, believing that President Wilson would continue to keep us out of war, but at the very time those statements were being made they had involved us so that our entrance into the World War was inevitable. They were then planning for this country to enter into the World War.

With that background I am unwilling to vote for this resolution giving to President Roosevelt the power to decide when a state of war exists between two foreign countries, and for him then to proceed to act upon his own findings and then carry forward a course of action that, more than likely, would involve us in war, and to give him the power over the credits of this Nation and its commerce on the high seas. If Mr. Roosevelt has shown a tendency to any course, it is a desire for autocratic and dictatorial powers. He already has too much of these for the good of our country.

I note that the Members of this House who are sincerely and strongly in favor of world peace and opposed to entangling alliances of this country are against this resolution. I refer to my distinguished colleagues, LUDLOW, of Indiana; MAVERICK, of Texas; SAUTHOFF, of Wisconsin; LEWIS of Maryland; and others who have made eloquent speeches against this resolution. Only one of these is a Republican.

By the time we pay all the compensations, pensions, and other expenses of the World War it will have cost this country $100,000,000,000, hundreds of thousands of lives, and countless numbers of cripples, widows, and orphans. The people must bear the burden of these wars. If we enter another war, we certainly want Congress and the people to determine that course for themselves.

Those who have made a careful study of this legislation, and have had wide experience in world affairs, have come to the conclusion that this measure is not in the interest of neutrality or world peace, and I share in the same belief. In a few days we are to celebrate the birth of George Washington, the Father of our Country. He laid down for us the safest and best rule to govern us in our foreign policies—"Friendship for all and entangling alliances with none."

Fearing that this measure may violate that great American policy and that we are taking away the right of Congress and the people to say when we shall go to war, I feel constrained to cast my vote against this measure. [Applause.]

Mr. McREYNOLDS. Mr. Speaker, I yield 4 minutes to the gentleman from North Carolina [Mr. LAMBETH].

Mr. LAMBETH. Mr. Speaker, I ask unanimous consent to insert at the conclusion of my remarks a brief table of statistics which I have compiled showing certain exports from the United States.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. LAMBETH. Mr. Speaker, we come now to a final decision as to neutrality legislation for this session. Along with every Member of the committee, I shall cast my vote in favor of the motion of the able chairman, the gentleman from Tennessee [Mr. McREYNOLDS]. In doing so I am not surrendering my views, which are well known to those who have taken the time to read the hearings and my previous

remarks on the floor of the House January 13, 17, and February 10.

I was one of those who labored incessantly in the committee to secure a favorable report for the McReynolds bill, House Joint Resolution 422. A combination of political obstructionists, isolationists, extremists, and selfish interests—backed by powerful and insidious propaganda—has now made it impossible for that bill to be enacted at this session; but, like truth crushed to earth, it will rise again.

The heart of that bill was section 4. For myself I am unalterably opposed to mandatory, inflexible, rigid neutrality legislation, for this problem can be handled best with a minimum of legislation and a maximum of executive authority and discretion, wisely and prudently exercised as necessity develops. Even though, apparently, the sentiment of this country is not now in favor of cooperating with other nations in order to prevent the outbreak of war—which, in my opinion, is the only truly effective way of keeping ourselves from becoming involved in the next war—at the same time I would oppose any act which would tie our hands to the point where we could not only be unable to cooperate with other nations, but we might thereby defeat efforts of other nations sincerely desiring peace and striving through economic sanctions to strike down aggressors before the world is caught in another great conflagation.

I do not wish the United States to remain for belligerents, as it was during the last war, a base of supply of essential war materials in abnormal quantities, and this was the purpose and philosophy of section 4 of the McReynolds bill.

The bill now under consideration represents a forward step, and an important step, in that it restricts loans and credits to belligerents. We should make haste slowly in this extremely difficult and complicated area of neutrality legislation.

[Here the gavel fell.]

TABLE 1.—*United States exports of gas oil and fuel oil*

[In thousands of barrels]

Country	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935
Italy	279	182	403	311	106	354	500	393	422	949
Japan	2,149	4,419	5,114	5,172	5,694	5,437	4,986	5,182	7,817	9,292
Germany	843	1,258	1,793	1,351	2,006	1,686	917	630	882	747
France	680	93	578	249	334	371	142	399	335	66
United Kingdom	5,709	5,507	4,403	3,593	3,010	1,397	1,195	1,581	2,057	1,411
China	664	683	910	588	621	531	253	147	189	239
Total	10,326	12,142	13,201	11,164	11,771	9,776	7,993	8,332	11,702	12,704
Total world	34,516	42,963	41,573	35,715	32,378	26,588	17,831	18,455	25,977	25,685
Total value (world) [1]	$45,354	$49,802	$45,812	$37,200	$33,220	$23,966	$16,172	$18,310	$28,342	$27,017

[1] In thousands of dollars.

TABLE NO. 2.—*United States exports of raw cotton*

[In bales]

Country	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935
Italy	814,023	666,308	737,505	770,125	530,687	521,846	697,074	803,700	492,583	452,000
Japan	1,250,528	1,437,453	1,225,473	1,100,837	888,646	1,743,653	2,248,997	1,813,845	1,737,101	1,515,000
Germany	2,020,686	2,452,472	2,037,872	1,652,220	1,637,213	1,356,941	1,741,599	1,653,098	739,773	591,000
France	990,197	918,098	819,137	810,237	915,122	435,418	811,295	851,501	424,144	591,000
United Kingdom	2,288,653	1,648,175	1,997,395	1,533,929	1,199,192	898,776	1,486,938	1,489,259	897,296	1,189,000
China	172,026	240,355	167,632	229,566	319,217	879,695	585,671	311,275	286,550	86,000
Total	7,536,113	7,362,861	6,985,014	6,096,914	5,490,077	5,836,329	7,571,574	6,922,678	4,577,447	4,424,000
Total world	8,916,000	9,199,000	8,546,000	7,418,000	6,480,000	6,851,000	8,916,000	8,353,000	5,753,000	5,858,000
Total value (world) [1]	$810,365	$818,318	$912,849	$764,760	$493,632	$323,794	$343,182	$395,168	$367,165	$383,165

[1] In thousands of dollars.

Mr. MONAGHAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MONAGHAN. The question of the gag has been raised. Personally, I always have been opposed to "gag" legislation and have voted against it. If this bill came in under a rule, we would be right in assuming that a vote against that rule would be a vote against gagging the House. However, the motion in this instance is to suspend the rules and pass the bill. If we could vote specifically for bringing this bill up under an open rule or a closed rule, it would be different. But am I not right in assuming that a vote against this motion is, in effect, a vote against the neutrality bill that is now pending and might result in no neutrality legislation at all? A defeat for this bill at this time by merely a third of the Members voting against the motion to suspend would result in the defeat of neutrality legislation today, and through lapse or through neglect or through maneuvering or trickery no legislation preventing war might be enacted. I agree with the sentiment expressed by Senator NYE that we should extend this bill to meet the emergency arising upon the lapse of the old measure and then pass a strong measure to cover the situation. Am I right in assuming that a vote against the motion to suspend the rules would be, in effect, a vote against the neutrality bill which is now pending?

The SPEAKER. It is not within the province of the Chair to determine the effect of the gentleman's vote on the motion.

Mr. McREYNOLDS. Mr. Speaker, I believe I have 1 minute remaining.

I wish to say to the Members of the House that a vote against this resolution is a vote against this neutrality bill and against an extension of what we already have. This bill extends the neutrality law to May 1, 1937. This date was fixed in order for Congress to have sufficient time during the next Congress to iron out their differences on the controversial questions and pass the bill as a permanent law. I am very sorry that this could not have been done during this session of Congress, since your committee in the House has devoted much time and attention to the consideration and formation of the bill that we heretofore reported (H. J. Res. 422) and for which I appeared before the Rules Committee of the House and asked for a rule. A proper neutrality bill is considered to be one of the most difficult to draft, as it has so many different angles to be considered. As before stated, this bill is a compromise in order to save the present neutrality law we now have on the statute books and adding thereto a most important amendment relative to credits.

[Here the gavel fell.]

The SPEAKER. All time has expired. The question is on the motion of the gentleman from Tennessee to suspend the rules and pass the joint resolution.

Mr. DUNN of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DUNN of Pennsylvania. Mr. Speaker, would it be in order for me to ask unanimous consent to address the House for 1 minute to ask the chairman a very important question?

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to proceed for 1 minute. Is there objection?

There was no objection.

Mr. DUNN of Pennsylvania. Mr. Speaker, I wish to ask the chairman of the committee a question. Is there any part of this bill which will permit the United States to send munitions to a neutral nation?

Mr. McREYNOLDS. This measure prohibits the shipment of arms to foreign nations that are belligerents.

Mr. DUNN of Pennsylvania. I refer to a nation that is not a belligerent.

Mr. McREYNOLDS. Not to a neutral nation, unless it is going through such country to a belligerent nation.

Mr. DUNN of Pennsylvania. How can we prevent a neutral nation from shipping munitions to a belligerent nation?

Mr. McREYNOLDS. Such a transshipment is prohibited, and, if we can get the fact that that is being done, the shipment is stopped. Such character of shipments are prohibited under the statute.

Mr. DUNN of Pennsylvania. I thank the gentleman for his courteous response.

The SPEAKER. The question is on the motion to suspend the rules and pass the joint resolution.

Mr. McREYNOLDS. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 353, nays 27, not voting 50, as follows:

[Roll No. 19]

YEAS—353

Adair	Crowe	Greever	McGrath
Allen	Crowther	Gregory	McKeough
Andresen	Culkin	Griswold	McLaughlin
Andrew, Mass.	Cullen	Guyer	McLean
Arends	Cummings	Haines	McLeod
Ashbrook	Curley	Halleck	McMillan
Bacharach	Daly	Hamlin	McReynolds
Bacon	Darden	Hancock, N. Y.	McSwain
Bankhead	Darrow	Hancock, N. C.	Mahon
Barden	Dear	Hart	Maloney
Barry	Deen	Harter	Mansfield
Beam	Delaney	Hartley	Mapes
Beiter	Dempsey	Healey	Marcantonio
Bell	DeRouen	Hennings	Martin, Colo.
Berlin	Dickstein	Hess	Martin, Mass.
Blackney	Dies	Higgins, Conn.	Massingale
Bland	Dietrich	Higgins, Mass.	May
Blanton	Dingell	Hildebrandt	Meeks
Bloom	Disney	Hill, Knute	Merritt, N. Y.
Boehne	Dobbins	Hill, Samuel B.	Michener
Boland	Dockweiler	Hobbs	Millard
Boykin	Dondero	Hoffman	Miller
Boylan	Dorsey	Hollister	Mitchell, Ill.
Brewster	Doughton	Holmes	Mitchell, Tenn.
Brooks	Doxey	Hook	Monaghan
Brown, Ga.	Drewry	Hope	Moran
Brown, Mich.	Driscoll	Houston	Mott
Buck	Driver	Huddleston	Murdock
Buckler, Minn.	Duffey, Ohio	Imhoff	Nelson
Buckley, N. Y.	Duffy, N. Y.	Jacobsen	Nichols
Burch	Duncan	Jenckes, Ind.	O'Brien
Burnham	Eagle	Jenkins, Ohio	O'Connell
Caldwell	Eaton	Johnson, Okla.	O'Connor
Cannon, Mo.	Eckert	Johnson, Tex.	O'Leary
Cannon, Wis.	Edmiston	Johnson, W. Va.	O'Neal
Carlson	Ellenbogen	Jones	Owen
Carmichael	Engel	Kahn	Palmisano
Carpenter	Englebright	Keller	Parks
Carter	Evans	Kennedy, Md.	Parsons
Cartwright	Faddis	Kennedy, N. Y.	Patman
Cary	Farley	Kenney	Patterson
Casey	Fenerty	Kerr	Patton
Castellow	Ferguson	Kinzer	Pearson
Cavicchia	Fernandez	Kleberg	Peterson, Fla.
Celler	Fiesinger	Kloeb	Peterson, Ga.
Chandler	Fish	Kniffin	Pettengill
Chapman	Fitzpatrick	Knutson	Peyser
Christianson	Flannagan	Kocialkowski	Pfeifer
Church	Fletcher	Kopplemann	Pierce
Citron	Focht	Kramer	Pittenger
Claiborne	Ford, Calif.	Lambertson	Plumley
Clark, N. C.	Ford, Miss.	Lambeth	Polk
Cochran	Frey	Lamneck	Rabaut
Coffee	Fuller	Lanham	Ramsay
Colden	Fulmer	Larrabee	Ramspeck
Cole, Md.	Gambrill	Lea, Calif.	Randolph
Collins	Gasque	Lee, Okla.	Rankin
Colmer	Gavagan	Lehlbach	Ransley
Connery	Gifford	Lesinski	Rayburn
Cooley	Gilchrist	Lewis, Colo.	Reece
Cooper, Ohio	Gildea	Lord	Reed, Ill.
Cooper, Tenn.	Gillette	Lucas	Reed, N. Y.
Corning	Gingery	Luckey	Reilly
Costello	Goldsborough	Lundeen	Rich
Cravens	Goodwin	McAndrews	Richards
Creal	Granfield	McClellan	Richardson
Crosby	Gray, Pa.	McCormack	Robertson
Cross, Tex.	Green	McFarlane	Robinson, Utah
Crosser, Ohio	Greenway	McGehee	Rogers, Mass.
Rogers, N. H.	Smith, Wash.	Thom	Weaver
Rogers, Okla.	Smith, W. Va.	Thomason	Welch
Rudd	Snyder, Pa.	Thompson	Werner
Ryan	Somers, N. Y.	Thurston	West
Sadowski	South	Tinkham	Whelchel
Sanders, Tex.	Spence	Tobey	Whittington
Sandlin	Stack	Tolan	Wigglesworth
Schaefer	Starnes	Tonry	Wilcox
Schuetz	Stefan	Treadway	Williams
Schulte	Stubbs	Turner	Wilson, Pa.
Scott	Sullivan	Turpin	Wolcott
Scrugham	Sumners, Tex.	Umstead	Wolfenden
Sears	Sutphin	Underwood	Wolverton
Secrest	Sweeney	Utterback	Woodruff
Seger	Taber	Vinson, Ga.	Woodrum
Shanley	Tarver	Vinson, Ky.	Young
Shannon	Taylor, Colo.	Wallgren	Zioncheck
Sirovich	Taylor, S. C.	Walter	
Smith, Conn.	Taylor, Tenn.	Warren	
Smith, Va.	Terry	Wearin	

NAYS—27

Amlie	Dunn, Pa.	Ludlow	Risk
Biermann	Eicher	McGroarty	Robsion, Ky.
Binderup	Gehrmann	Main	Sauthoff
Bolleau	Gwynne	Maverick	Schneider, Wis.
Burdick	Hull	Moritz	Stewart
Cole, N. Y.	Lemke	O'Day	Withrow
Dirksen	Lewis, Md.	O'Malley	

NOT VOTING—50

Andrews, N. Y.	Ekwall	Mason	Sanders, La.
Ayers	Gassaway	Mead	Short
Bolton	Gearhart	Merritt, Conn.	Sisson
Brennan	Gray, Ind.	Montague	Snell
Buchanan	Greenwood	Montet	Steagall
Buckbee	Harlan	Norton	Thomas
Bulwinkle	Hill, Ala.	Oliver	Wadsworth
Clark, Idaho	Hoeppel	Perkins	White
Cox	Kee	Powers	Wilson, La.
Crawford	Kelly	Quinn	Wood
Ditter	Kvale	Romjue	Zimmerman
Doutrich	Maas	Russell	
Dunn, Miss.	Marshall	Sabath	

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was passed.

The following pairs were announced:

On the vote:

Mr. Wadsworth and Mr. Ditter (for) with Mr. Kvale (against).

Mr. Perkins and Mr. Andrews of New York (for) with Mr. Maas (against).

General pairs:

Mr. Cox with Mr. Snell.
Mr. Steagall with Mr. Bolton.
Mr. Buchanan with Mr. Marshall.
Mr. Oliver with Mr. Powers.
Mr. Montague with Mr. Ekwall.
Mr. Montet with Mr. Crawford.
Mr. Hill of Alabama with Mr. Thomas.
Mr. Bulwinkle with Mr. Short.
Mr. Greenwood with Mr. Buckbee.
Mr. Sabath with Mr. Gearhart.
Mr. Gray of Indiana with Mr. Merritt of Connecticut.
Mr. Harlan with Mr. Doutrich.
Mr. Zimmerman with Mr. Brennan.
Mr. Kee with Mr. Dunn of Mississippi.
Mr. White with Mr. Mason.
Mr. Romjue with Mr. Quinn.
Mr. Russell with Mr. Wood.
Mr. Ayers with Mr. Wilson of Louisiana.
Mr. Clark of Idaho with Mr. Sanders of Louisiana.

Mr. KNUTE HILL changed his vote from "no" to "aye."

Mr. EDMISTON. Mr. Speaker, my colleague, Mr. KEE, is absent on account of illness; if present, he would have voted "aye."

Mr. CONNERY. Mr. Speaker, my colleague, Mr. RUSSELL, is unavoidably absent; if present, he would have voted "aye."

Mr. BEITER. Mr. Speaker, the gentleman from New York, Mr. MEAD, is unavoidably detained; if here, he would have voted "aye."

Mr. BEAM. Mr. Speaker, my colleague, Mr. KELLY, is unavoidably absent; if present, he would have voted "aye."

Mr. HART. Mr. Speaker, the lady from New Jersey, Mrs. NORTON, is unavoidably detained; if present, she would have voted "aye."

Mr. McGEHEE. Mr. Speaker, the gentleman from Mississippi, Mr. DUNN, is in the hospital on account of illness; if present, he would have voted "aye."

Mr. GOODWIN. Mr. Speaker, the gentleman from New York, my colleague, Mr. THOMAS, is unavoidably absent; if present, he would have voted "aye."

Mr. MARTIN of Massachusetts. Mr. Speaker, the gentleman from New York, Mr. SNELL, and the gentleman from

New York, Mr. ANDREWS, are unavoidably absent; if present, they would have voted "aye."

Mr. TREADWAY. Mr. Speaker, the gentleman from Connecticut, Mr. MERRITT, is unavoidably absent, and if present, he would have voted "aye."

Mr. NICHOLS. Mr. Speaker, my colleague, Mr. GASSAWAY, is unavoidably absent; if present, he would have voted "aye."

Mr. BANKHEAD. Mr. Speaker, my colleagues, Mr. STEAGALL and Mr. OLIVER, are both detained on account of illness; if present, they would have voted "aye."

Mr. STARNES. Mr. Speaker, the gentleman from Alabama, Mr. HILL, is unavoidably absent; if present, he would have voted "aye."

Mr. COX. Mr. Speaker, I was unavoidably absent and cannot qualify, but if present I would have voted "aye."

The result of the vote was announced as above recorded.

On motion of Mr. MCREYNOLDS, a motion to reconsider the vote whereby the resolution was passed was laid on the table.

EXTENSION OF REMARKS—NEUTRALITY LEGISLATION

Mr. MICHENER. Mr. Speaker, this Congress is today running true to form so far as procedure is concerned. We have before us one of the most important pieces of legislation that can possibly come before this legislative body. It deals with peace, and one of the best ways to maintain peace, so far as this Nation is concerned, is to have upon our statute books proper neutrality laws.

Since the first of this session, the Congress has been recessing from Friday night to Monday morning. We have devoted hours and days to political speechmaking. We have just passed the Army appropriation bill after several days of discussion. Next week we will take up the Navy appropriation bill, and everybody will be given all the time they want to debate. I am not discussing the merits or demerits of that legislation. Suffice it to say, that with all other right-thinking citizens, I am opposed to war. Being opposed to war, I am for a proper national defense to prevent war.

It is preposterous, however, that time can be frittered away in these halls and then all of a sudden a bill like this neutrality legislation is brought upon the floor of the House, as is the case today. We are told that the existing neutrality law expires on February 29, and that if we do not pass this resolution, then we will have no neutrality law. Under the suspension of the rules, there is but 20 minutes on a side, or 40 minutes in all, to debate this important question. That is not the worst of it, because the resolution is not subject to amendment. In short, this body is permitted by this rule to talk for 40 minutes and then to vote "yes" or "no" without any opportunity of amendment.

In these circumstances, the Member of Congress' vote is very readily misunderstood, and in voting for this measure I do not want to be interpreted as feeling that this law goes far enough. It does not. It is this or nothing, however.

Personally, I should like to see a provision that trade with belligerents must be made at the trader's own risk; also that shipment of war materials be limited to peacetime quotas. In fact, there are many amendments that should be made to existing law. However, the plan of the administration seems to be to force this bill, in its present form, through the House and through the Senate.

Be it understood, however, that the sentiment of the country will in time require more comprehensive neutrality legislation, and when the people thoroughly understand this matter, I am confident that a "gag" rule situation of this character will not be tolerated.

I can see little justification for those who believe in peace—who want to prevent war, who feel that the United States should stay at home and take care of its own business—voting against this legislation. This resolution reenacts and amends existing law, and if adopted, the law will then provide:

First. Embargo against the sale, exportation, and transportation of arms, ammunition, or implements of war to any and all belligerents except to American Republics, as expressly provided.

Second. Prohibition against the sale of bonds, notes, and other securities of belligerent countries in the United States, or the purchase of such securities in the United States; the prohibition of loans or extension of credits of foreign governments or persons representing them, except ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in current, commercial business.

Third. Prohibition against American vessels carrying arms, ammunition, and implements of war to belligerents or for transshipment for use by belligerents.

Fourth. Prohibition of the use of the United States as a base for supplying belligerent ships with arms, ammunition, or implements of war.

Fifth. Special regulations relative to the use of our ports by submarines of belligerent countries.

Sixth. Restraint upon our citizens when traveling upon belligerent vessels.

I heartily endorse and advocate every one of these provisions and look forward to the time when this Congress will again return to deliberate, careful, and statesmanlike consideration of such important matters. A vote for this resolution is not a vote for the rule under which we are considering the measure. If we believe in neutrality legislation, there is but one course to pursue. It is idle to vote against that which is good simply because we are opposed to the method of consideration.

Mr. MCSWAIN. Mr. Speaker, under general permission granted those who spoke upon the Army appropriation bill to extend their remarks thereon, I am submitting herewith some very brief but direct considerations concerning the benefits to accrue to the Army and to the country by the appropriation of approximately $1,900,000 to make the Thomason Act effective. We are all interested in national defense, and as prudent legislators it is our duty to get the most defense possible for the least money possible. To get the picture properly fixed in our minds, we must realize the overwhelmingly preponderant importance of the Organized Reserves in our land forces. With only 12,000 Regular Army officers and about 14,000 National Guard officers, our initial need at mobilization is for 120,000 Reserve officers.

Since Reserve officers will be in command of battalions, companies, and platoons, as will National Guard officers, the losses in action among these two classes will undoubtedly be very great, and the only source from which to replenish the losses in either the National Guard or the Regular Army will be from the Organized Reserves. Hence we must contemplate a great reservoir of Reserve officers; and the more efficient are these officers, the quicker will be our readiness for action after mobilization. The ratio in numbers of Reserve officers as against both Regular Army officers and National Guard officers is, therefore, at least 5 to 1 at the very beginning, and ultimately, if a war should continue 2 or 3 years, would be at least 10 to 1.

Now, Mr. Speaker, we must remember that almost all the Reserve officers commissioned in recent years and to be commissioned in the future must come from the R. O. T. C. units in our universities, colleges, and military schools.

Therefore, whatever strengthens our R. O. T. C. units will greatly strengthen the cause of national defense. By strengthening I do not mean mere increasing numbers, but I mean increasing efficiency, increasing interest in military students, increasing zeal for military advancement, increasing willingness to submit to military discipline. With this in mind, let us recur to the facts found recorded on page 1830 of the CONGRESSIONAL RECORD of February 11, 1936. There it will appear that since 1920, 429,670 college students have been enrolled in our R. O. T. C. units, both basic course and advanced course. This includes the 115 universities and colleges having senior units. During that time $54,882,871.10 have been expended on these units. Ninety-eight thousand four hundred and seventy students have taken the advanced course, and of them 76,201 have graduated and received commissions as second lieutenants.

At present the annual number of graduates is about 7,000. I have gone over the figures found in the hearings before the

Committee on Appropriations and conclude that the Federal Government spends on each of these students who receives a a commission as second lieutenant at graduation in one of these R. O. T. C. units only $387.50. When one of these R. O. T. C. graduates is called to duty with the Regular Army for training and instruction for 1 year, then his pay and allowances for that year will be slightly less than $1,800. Add to this the cost of his previous instruction, to wit, $387.50, and you find that at the end of such year's duty each of these young men has cost the Federal Government less than $2,200. But what does it cost to send a graduate for 4 years through the Military Academy at West Point? The War Department has had various studies made of this question. One of them made in 1929 found the cost of such 4 years' course for a cadet to be around $19,000. A subsequent study made in 1932 by order of Gen. William R. Smith, then Superintendent of the Military Academy, made the cost slightly less than $10,000, but this latter computation failed to take into account such overhead items as fair interest on plant value, cost of land, and expense of maintaining troops at the acedemy for instructional purposes. I have recently had made, by an officer in the Army, from official data, an estimate of the cost of graduating young men at the Military Academy, counting 4 percent interest on a total plant capitalization of about $32,000,000. I conclude from the figures furnished me that a fair and reasonable estimate is approximately $16,000, or about $4,000 a year.

Now, Mr. Speaker, let us make a comparison, and I believe it is a fair comparison. Take the 50 best men graduating in any class of about 300 at the Military Academy and compare them with the 50 men that it is proposed to commission in the Regular Army after 1 year's active duty with the Regular Army. Both groups would be second lieutenants. I contend that the 50 selected by the War Department from the 1,000 Reserve officers on duty with the Regular Army for 1 year will be equal as officer material to any 50 recent graduates of the Military Academy. The Reserve officer will have cost the Federal Government less than $2,200. The graduate of the Military Academy will have cost the Government about $16,000. Therefore the graduate of the Military Academy will have cost the Government nearly eight times as much as the graduate from the R. O. T. C. unit. Can it be said that the graduate of the Military Academy is eight times more valuable to the Army and the country than the graduate from the R. O. T. C. unit? I contend that it is the other way around and they are of equal value, and therefore the more economical method of producing officers is by the R. O. T. C. route.

Now, Mr. Speaker, why do I contend this? I must continually remind the Congress and the country that I have no prejudice against the Military Academy at West Point, but also I confess that I have no illusions about its vaunted superiority. It is just a good school where the discipline is properly severe and where high and wonderful ideals are inculcated and generally practiced. But on the authority of Gen. Malin Craig, in his testimony before the Appropriations Committee, the ratio between graduates of the Military Academy and nongraduates among the 100 best officers in the Army is about equal, or 50–50. Why is this bound to continue to be true under the plan proposed by the Thomason bill? Because all the R. O. T. C. units have a total enrollment of about 112,000 at this time, with the number gradually increasing from year to year.

There is a pronounced elimination due to many causes, so that at the end of 4 years, in all these R. O. T. C. units, only about 7,000 graduate. It is fair to assume that the 7,000 who graduate are at least a high average from among the 112,000 students. Now, Mr. Speaker, under the Thomason bill plan, the 7,000 annually graduating will be invited to make application to the Secretary of War for 1 year's duty with the Regular Army. Assume that only 3,000 apply. It is fair to assume that the 3,000 taking most interest in military matters, and therefore, best prepared for duty as junior officers, will apply. From the 3,000 who apply on blanks to be furnished by the Secretary of War containing a very detailed questionnaire, and from the records of the young men in college with all the background and surrounding information possible for the Secretary of War to obtain from all sources, he will select the 1,000 of the 3,000 showing the most promise of ability for leadership as Army officers. After 1 year of duty under the critical and scrutinizing observation of Regular Army officers, who will report in detail their observations, findings, and conclusions, the Secretary of War will offer commissions to the 50 young men found by this process of observation and study to be best qualified for Army officers. The average annual freshman enrollment in R. O. T. C. units is about 40,000. Therefore we find that 40,000 young men commence their basic training and at the end of 4 years only 7,000 are graduated, and of the 7,000 only 1,000 are selected for active duty with the Regular Army, and of the 1,000 only 50 are selected for permanent commissions in the Regular Army. By this process of selection and elimination, and attrition, I believe that the 50 young men thus chosen by the Secretary of War for commissions will equal in ability, in character, and in efficiency any 50 graduating in any class at the Military Academy. The Military Academy started with a class of about 350 and graduated about 250. In such case the elimination, therefore, is only about 28 percent. Contrast that with the 50 finally chosen from an original 40,000.

According to the mathematical doctrine of chances, and according to the better doctrine of common sense, the 50 officers coming from the R. O. T. C. units will certainly equal any 50 graduating at the Military Academy. Bear in mind the difference in cost, to wit, about $2,200 for each of the 50 young officers as against about $16,000 for each of the graduates of the Military Academy.

But, Mr. Speaker, this is not the sole and exclusive benefit to the Army from the Thomason Act. It will stimulate interest in every one of the 112,000 students in all the R. O. T. C. units. It will do this because it will give every one of them hope by holding out a prospect of help. At present there is nothing for the R. O. T. C. student to look forward to except to receive the little $387.50 to help him through college and the honor of having a commission in the Reserve Corps, with the prospect of receiving active duty for 14 days once in about 5 years. Under the Thomason Act every one of the 112,000 will be a better student, will take more interest in his military duties, because he will hope that by doing so he may be one of the 1,000 young officers to be selected for 1 year of active duty with the Regular Army, and then he would have a chance to be one of the 50 to be selected for a commission in the Regular Army. Contrast this hope and chance for help with conditions as they now are. At present there is absolutely no chance for the best second lieutenant graduate of an R. O. T. C. unit in all the land to get a commission in the Regular Army.

Yet the corps area commanders select the outstanding R. O. T. C. students in their respective corps area, and they are brought to Washington at the expense of the R. O. T. C. Association, and each year for several years I have seen these groups of fine young men, and I have been impressed by their splendid bearing, their manifest intelligence, and their fitness for leadership. Yet not a one of these outstanding young men could get a commission in the Regular Army. For the last 7 or 8 years practically all of the vacancies in the Regular Army were filled by West Point graduates. Due to enforced attrition last year, there were about 52 nongraduates of the Military Academy to receive commissions, but for the current year there will be no vacancies, and unless the Thomason Act is made effective there will never be any vacancies. While it is true, therefore, the 50 possible commissions is a very narrow door whereby each of the 112,000 R. O. T. C. students has a hope of entering the Regular Army, yet it is a door, as against the total absence of any door now. While it is a slim chance, it is a chance, as contrasted with the present total lack of chance.

Now, Mr. Speaker, we cannot measure the value of the R. O. T. C. merely by the 7,000 who graduate. The other 105,000 such students have gotten a valuable training and are valuable upon mobilization to be used as noncommissioned officers in organizing, training, and leading the untrained civilian recruits who must be called into the Service. Remember that during the last 15 years the training

of these 429,670 R. O. T. C. students has cost slightly less than $55,000,000. On the other hand, remember that during the same last 15 years the Military Academy has admitted 6,143 cadets and has graduated 3,640 cadets at a total cost of $38,801,449. If you add interest on plant investment as above, and also pay of officers and enlisted men on duty there, including subsistence, forage repairs, and so forth, all estimated at approximately $3,000,000 per year, then for 15 years you have a total of $45,000,000, and if you add $38,801,449 you have a total cost for 15 years of $83,801,449. Divide by 3,640, the total number of graduates, and you have a total cost per graduate of $23,297.

But the 2,503 cadets who failed to graduate received valuable training of use to the cause of national defense. This should be deducted from the estimated cost per graduate. It is difficult to determine just what proportion of the total cost should be charged to these nongraduates. However, I believe the figures heretofore given of about $16,000 per graduate are fair, reasonable, and, in fact, conservative.

Mrs. O'DAY. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following statement: Those of us who had hoped for a strong neutrality bill this session have been willing to accept the measure submitted on the grounds that half a loaf is better than none. We have even been willing to concede that the present bill is a shade better than the last. But when we are asked to accept this bill with less than an hour of argument and without the opportunity to at least present our ideas in the shape of amendments we rebel.

The question of neutrality is too important to be passed over so lightly. Too important to us who appreciate that it is possible to repeat the mistake of 1917–18. I intend to vote against this measure as a gesture of protest against this limitation of debate and refusal to accept amendments. As a sincere believer in neutrality, the strongest kind of neutrality, I protest the methods by which this highly important measure is being rushed through. My vote is a protest only. If I thought for a moment that it might jeopardize the success of the bill, I should vote otherwise. We advocates of a stronger bill have been forced to concede this is the best we can do. But I know the House is overwhelmingly in favor of the measure, so I can afford to voice my protest against the methods of procedure by a negative vote against the bill.

Mr. WHELCHEL. Mr. Speaker, it was my privilege on yesterday to support a measure having for its purpose keeping the United States neutral in all foreign entanglements.

While the measure that we passed was a step in the right direction, I do not feel that it is perfect by any means, and, of course, I realize we could not perfect legislation at this time to cover every phase of this most important undertaking. To my mind, this is the most important legislation that will be passed by this Congress at this session, and I believe when we prepare proper legislation in regard to neutrality it will be the greatest move this Nation has ever made in steering clear of foreign wars. I am against foreign wars and our participation therein. I think this Government should be convinced there is no other alternative. In fact, I can see no justification for this Nation being entangled in the ever-existing strifes and wars that are now existing in European nations; and I believe, certainly as long as I can remember, since the beginning of the world they have been fighting; and the blood of America's young manhood is too precious to be spilled on some foreign soil, participating in this ever-raging conflict between the foreign nations. I believe in protecting our citizenry and Nation against invasion at all costs, and I do not think any American, be he young or old, would shirk his duty in defense of his Nation should an attack be made thereon; but I do not think it fair, neither do I believe it right, for a Christian nation, as America is, to permit the spilling of American blood on foreign soil in furtherance of these conflicts that have raged since the beginning of the world, and, in my opinion, will continue to do so until the end of time.

So far as I am concerned, and so long as I am a representative of the American people in the Halls of Congress, it is not my purpose to cast a vote that will send one dollar to a foreign nation in furtherance of war, or to send one soul to a foreign "slaughter", so long as I retain the mind that I possess now.

Not only do I feel that we should be neutral in the respect that this measure proposes, but I feel we should in no uncertain terms let those nations, who were so generous in accepting the money of this Nation to further the World War conflict, know that we do not appreciate the fact they have repudiated their obligation and failed and refused to pay an honest debt. I am in favor of using every means and method of collecting this money to the exclusion of war, but never will I acquiesce therein, or be a party thereto of sending our soldiers to pay with their lives in attempting to collect this indebtedness, which has been so unwisely—and I might say foolishly—placed beyond the reach of this country.

Mr. Speaker, in conclusion, in summing up my remarks, I stand for neutrality, and I think our legislation from time to time should be strengthened in furtherance of this important matter.

Mr. LEE of Oklahoma. Mr. Speaker, it was 2 o'clock in the morning. The rain was running off my steel helmet in sheets. I had my rifle under my armpit to keep it dry. I was on guard around a German stockade. We had 437 German prisoners.

The armistice had been signed about a week, but we were required to guard our prisoners just the same.

I was cold, I was tired, I was homesick and hungry. I saw a light over in the German stockade, inside of the barracks which they used for a kitchen, and I knew that Frank, the German Polack cook, was doing his cooking for the next day. I threw a gravel over against the barracks, and soon a flood of light shot out from the door as Frank poked out his square German head. I said to him in the best German I could command, which was not very good, "Frank, giben mer das brote und das coffee." Frank said, "Yah."

Pretty soon he returned with a canteen cup full of steaming hot coffee and a piece of German coffee cake. The coffee had cream and sugar in it, two delicacies we did not often have, but he had taken some from the amount allotted to him for cooking, and put it in my coffee.

The lightning flashed as he handed the coffee and coffee cake through the fence; and I saw his face; and there was no cynical grin of hatred there, but, rather, a smile of friendliness; and if he saw my face I know he saw friendliness there.

Frank did not hate me. He loved me. I did not hate him. I loved him; and yet if I had met him on the battlefield at that hour of the night one week before I would have killed him or he would have killed me.

That is what war means. It means bringing men together, who otherwise would love each other, to kill each other.

War never proves which is wrong. It only proves which is strong.

If it is a question of medicine, ask a doctor. If it is a question of law, ask a lawyer. Then, if it is a question of war, ask the warrior. The ex-service men oppose war because they know the futility of it, but that does not mean that we would not serve our country again if our services were needed. We would.

It simply means that we are speaking now, while our country is at peace, protesting against conditions that lead to war and attempting to remove every war incentive.

PEACE PLANS THAT DO NOT GO FAR ENOUGH

Allow me to name some of the means of securing peace that have been relied upon in the past and then suggest that these do not go far enough.

First, there are treaties, pacts, and agreements between nations. These are good as friendly gestures and are to be encouraged, but war will never be abolished by proclamation.

Then, again, there is the plan of educating for peace. This is a good idea and is to be continued by all means, but it is too slow. It takes generations before advancement can be made by the slow process of education. In the meantime, we might have another world war that would annihilate civilization.

Further, there is the plan of disarmament. This, too, should be encouraged; but if one nation should get too far out in front on a disarmament program, that nation's weakness might invite attack. There is no use to deceive ourselves—the world has not yet come to the philosophy of peace on earth for the sake of brotherly love.

WEAKNESS INVITES ATTACK

Manchuria was helpless, and Japan marched in. Ethiopia was defenseless, and Mussolini is marching in. Therefore, we cannot depend upon disarmament.

I therefore wish to propose some definite steps which, if taken, would greatly further the cause of world peace.

First, the United States should control the preparation for war by requiring munition makers to operate under a Federal license system.

Second, the United States should make permanent its present non-intervention policy that refuses to send a military force into a foreign country to protect private investments.

Third, the United States should equalize, as far as possible, the burdens of war by a universal draft law that will conscript money and materials as well as men.

Fourth, the United States should enact tax laws that will recover for the Government 100 percent of all war profits.

EMBARGO OF ARMS

By licensing the munition makers the Government could make effective an embargo on arms. The United States is not in a consistent position when we tell the rest of the world that we are a peace-loving nation at the same time that we are furnishing cannons, hand grenades, and machine guns for warring nations.

If I walk down the street and see two little boys quarreling and give one of them a club and the other a pair of knucks and stand back and watch them destroy each other, I can say to the crowd that gathers around that I am a peace-loving man until I am black in the face, but if they know that I furnished the instruments of destruction, they know that I am a liar and a hypocrite.

For years the manufacturers of munitions in the United States have furnished engines of death to warring nations all over the globe, and yet we have proclaimed to the world that we are a peace-loving nation. Our words whisper peace and our actions thunder war.

What was the final straw that broke the camel's back and plunged America into the last war? It was the sinking of the *Lusitania*, was it not? Mrs. William Jennings Bryan, wife of the Secretary of State, wrote in her diary that they were dining out on the evening that the news came of the sinking of the *Lusitania*.

Mr. Bryan was very much disturbed at the news. He said on the way home, speaking of the *Lusitania:* "I wonder if she had munitions on board? If she did," he said, "that puts a different phase on the whole matter. I will have Lansing investigate that."

The next day Mr. Lansing examined the clearance papers and reported that the *Lusitania* did have munitions on board.

The manufacturers were so eager for the profits on one more cargo of death that they endangered the lives of citizens who took passage on that passenger ship and plunged America into the World War.

This unbridled campaign for profits at the cost of American lives and world peace can be controlled by the Government through a licensing system.

COMPETITIVE ARMAMENT CAMPAIGNS

Then, again, the Government can prevent competitive armament campaigns which are carried on by the makers of munitions. These manufacturers employ the highest powered salesmen in the world. They sell one nation a battleship. Then they go to the nation's neighbor and play it up in the papers that this nation has bought a battleship, and as a result of that propaganda they sell that nation's neighbor two battleships. They return to the first nation and attempt to sell that nation three battleships. The result is a vicious spiral of competitive armament that makes war between nations and profits for the manufacturers of death.

This pernicious practice of promoting war can be controlled through a licensing system that should be in effect now, today, as a means of preventing war.

CONTROL WAR PROPAGANDA

The manufacturers of munitions have the incentive of profits that leads to campaigns of propaganda in order to bring about war. Do you remember before America entered the last war the floods of propaganda that were poured out in this country, telling us of the atrocities of the Germans?

But such propaganda is hatched up in the minds of the makers of death, and is intended to inflame the passions of people and result in war, for profits cannot flow in the munitions business unless blood flows on the battlefield.

MUNITIONS MAKERS ARM OUR ENEMIES

Furthermore, by the Government controlling the manufacture of munitions, we could prevent American manufacturers from arming our potential enemies. The munition maker is not a patriot of any nation. He is an internationalist. Patriotism to him is only a sentiment on which he can play to engender war and increase his profits.

It has been brought out before the Senate investigation committee that the munition makers peddle their wares in every nation on the globe. Today, at this hour, in the laboratories scientists are pouring over death-dealing devices and new war inventions. What for? For the exclusive benefit of America? To protect America from a foreign enemy? To destroy the foes of America? No; they will no sooner be perfected than they are peddled to every nation on the face of the earth by the highest-powered salesmanship known, and yet the Du Ponts said before the investigation committee that if it had not been for the Du Ponts America would today be a German colony.

They sell America steel plates for her battleships. What for? To protect them from torpedoes they have already sold to our potential enemies. They sell America gas masks. What for? To protect our soldiers from gas bombs they have already sold to our potential enemies. They sell America antiaircraft guns. What for? To bring down war planes they have already sold to our potential enemies.

In the World War a contingent of English troops was trying to take a certain objective. There was one gun that was particularly deadly. It mowed down the Tommies. Many fell trying to capture it. Finally, after a great loss, the gallant Tommies captured it. They thought it a fitting tribute to take it back to England and mount it in a public park as a memorial to those who fell while capturing it. There in Bedford, England, it stands today in one of the parks. On one side of its deadly barrel are engraved the names of the men who fell while capturing it, and on the other side engraved in the steel is the name of the makers—a British company.

It takes the patriotism out of a soldier to be shot by a gun that is manufactured in his own country.

When the Allies tried to capture the Dardanelles they were fired upon by guns manufactured in England and financed by a French bank.

The Senate investigating committee has exposed the deeds of the international munitions ring. It has flung open the closet door of this Bluebeard of war.

They are not patriots; they are internationalists.

All they know of patriotism is that it is a fine sentiment on which they can play to generate the war spirit and increase their profits.

Therefore, our Government should at the earliest possible hour set up a licensing system under which they require the manufacturers of munitions to operate in order that our Government might control their policies and activities.

SECOND STEP, NONINTERVENTION POLICY

The second step that will go a long way toward preventing war is to continue President Roosevelt's non-intervention policy, refusing to send a military arm of the Government to protect private investments in foreign countries. When a person invests in a foreign country that is a commercial venture. It is a business gamble. If he makes a profit, he takes it all, and if he has a loss, he should stand that, because when he invested he knew that it was a chance, and he took that chance because of the profit incentive.

In other words, it is a cold-blooded business venture and the only motive is profit.

When a man invests in a business proposition within the Nation he does not expect the Government to guarantee him against loss. Why, then, should foreign investments be given this protection?

Of course, if an American citizen in a foreign nation is discriminated against merely because he is a citizen of the United States, then it becomes an affair of the National Government; but as long as a citizen of this Nation is accorded the same treatment that citizens of other nations are in a foreign country there is no just cause for complaint, and certainly not for intervention.

INTERVENTION IN NICARAGUA

How many of you know why the marines were sent to Nicaragua? We were given several different answers.

Why? I will tell you the facts and let you answer for yourself.

Capitalists in the United States had loans and investments in Nicaragua to the amount of over $18,000,000. If the Nicaraguan Government were overturned by revolution, those loans and investments would be no good; but if that government were held in power at the point of American bayonets, the loans and titles to oil properties and gold mines would be protected.

Thus all of the people of the United States were asked to support a military movement to protect the investments of a very small group who had invested in Nicaragua for the purpose of making a profit. It cost the Government of the United States over $6,000,000 to protect the $18,000,000 of private investment. It cost the lives of 150 American soldiers and approximately 450 Nicaraguans. The life of one good American boy should be held to be of more value than the total investments in Nicaragua.

If we want peace we should follow a foreign policy that holds blood to be more precious than gold and peace more precious than profit.

We lost not only the lives of 150 Americans and 450 Nicaraguans but the goodwill of many of the Latin Americans, for at the same time that President Coolidge was in Habana speaking before the World Peace Conference, telling the world that we are a peace-loving nation, at that same time the newsboys on the street were shouting, "Forty Nicaraguans killed in American air raid!"

Again our actions thunder war and our words whisper peace.

But we may take heart, because since the election of President Roosevelt the United States has launched a non-intervention policy, and the last marine has been called out of Nicaragua.

NO INTERVENTION IN CUBA

Then, again, there was the Cuban situation. Only a few months ago there was a revolution in Cuba. For years United States investors in the sugar business have taken millions of dollars profit from Cuba.

It is entirely legitimate for people to invest in foreign enterprises. It is entirely all right for citizens of the United States to invest their money in the sugar business in Cuba, and if they make a profit, so far as I am concerned, they are welcome to it; but if they have a loss, they can have that, too. I do not wish to be cut in on the loss and left out on the profit.

In the last disturbance in Cuba you remember there was great agitation in this country for the Government to "Send a battleship to Cuba", "Send the marines to Cuba", "Put down the revolution in Cuba", but our Government has launched a new foreign policy. Our President has shattered precedent, has taken a new step in world diplomacy and statecraft. He courageously came out with a proclamation stating that there would be no intervention in Cuba. There was no intervention in Cuba, and she settled her own domestic trouble.

I, therefore, urge that we make permanent as a means of promoting peace this non-intervention policy launched by President Roosevelt.

THIRD STEP, UNIVERSAL DRAFT

The third step that will go a long way toward promoting peace is a universal draft of money and materials as well as men. This has the unqualified support of all veterans' organizations. Such a universal mobilization of the financial and material resources of the Nation, as well as the manpower, would make us more effective in war. In my opinion, if our Nation is plunged into war, every man jack of us and every dime of resources should be at the disposal of the Government for the successful prosecution of that war. But there are those who say, "That is a fine theory, but it cannot be put into practice."

Indeed it can be put into practice. The manufacturers have always uncorked that old bottle of chloroform and put Congress to sleep with the argument that such a law is unworkable. They say, "It is impractical; it will not work; it cannot be done; it is unconstitutional."

When they cannot think of anything else against a law, they say it is unconstitutional, but I cannot believe that we live under a Constitution that places a greater value on one man's property than it does on another man's life. I think it is an insult to the framers of the Constitution to say that one man's gold is more sacred than another man's blood. Yet that is the argument that is advanced against the conscription of wealth.

During the Civil War Abe Lincoln went to New York to see the bankers to get more money in order that he might carry on the war to save the Union. He saw that the bankers were holding out for better terms. Finally he stood up, his eyes flashing fire. He said, "I can conscript a widow's only son. I can take him from between the plow handles and put him in the battle's front where his life will not be good for 6 minutes, but I cannot lay hands on enough money to pay for the food he eats."

It was true in the Civil War. It was true in the World War, and unless we act now during peacetime it will be true in the next war.

Furthermore, the Government should conscript the managers of industry, transportation, and communications, in order to make it possible to quickly and effectively mobilize these three necessary activities for the successful prosecution of the war.

The Senate investigation committee brought out the fact that in the last war, at one of the most crucial times of the war, the Du Pont Manufacturing Co. bickered with the Government for three months over the profits that they were to receive for manufacturing powder. The Government requested them to build the Old Hickory powder plant and manufacture powder, and for three months they refused the demands of their Government, because the profits were not sufficient to satisfy them. What would happen if the soldier in line of battle refused to obey commands, because his pay was not enough? He would be court martialed and shot, and yet the Du Ponts, who were so patriotic that they kept us from being a German colony, refused to manufacture powder because their profits were not enough. But if these manufacturers had been conscripted there would have been no equivocation.

FOURTH STEP, PROFITS TAXES

Now the fourth and final step that would promote peace by removing the profits from war is the passage of tax laws that would take 100 percent of all war profits. War should be a burden to everyone. Then everyone will oppose war.

In the feverish days of the war Americans bent every energy to win that war. It rather shocked our patriotism when we returned from France, where we had served for a dollar a day and a chance to die, and found that 22,000 millionaires had been made off of that war that cost us in blood and money.

It further shocked our patriotism when we found that the war cost our Government $29,000,000,000. In round numbers, the war cost the United States $29,000,000,000. Nobody knows how much a billion dollars is, it is so much, but that is what economists say the war cost our Government. Do you know how much of that went to pay the soldiers, the men who faced death? Only 5 percent.

Do you know what it cost the average soldier in dollars and cents to go to war? Figure it out for yourself. If a boy had stayed out of service, he could have earned $7 a day for

unskilled labor. That was the lowest. Anybody could get $7 a day. But the soldier received 75 cents a day. You thought we got a dollar. We did, but we had to pay $6 to $8 a month back into the Government on our life insurance. The privates paid back into the Government something like $408,000,000 out of our slim pay of $30 a month, to pay the death claims of our buddies. But the difference between what a boy received who was in the service and one who was not, at the lowest estimate, over a period of 16 months is $2,800. That is what it cost a boy to be patriotic. But you say you cannot pay for patriotism. No; you cannot; but there is no reason to penalize it. It is bad enough for the soldier to suffer the physical dangers of war without requiring him to bear the economic loss as well. While we were serving for 75 cents a day and a chance to die, there were 22,000 millionaires made in the United States. Du Pont Manufacturing Co. made 100-percent profit during each of the 4 years of the war. The steel companies made from 27 to 65 percent during each year of the war.

AIRPLANE PROFITS

A Government audit of the Standard Aircraft Corporation and the Standard Aero Co. showed that these two concerns were overpaid $6,500,000. The affairs of the company were immediately put into liquidation. The Government had a fat chance to get that back. And, to add insult to injury, these two companies were owned by the great Japanese house of Mitsui & Co. And Mitsui & Co. were paymasters of the Mikado of Japan, and at one time were paymasters of the great international-spy system of the German Government. Oh, for the eloquence of a top sergeant to express my feelings.

PROFITEERING IN RAINCOATS

Then, again, think of those manufacturers who made raincoats of "mosquito netting" and sold them to the Government for the best india rubber. I am confident that the death of some of the boys in my own company was caused by the rain soaking through those raincoats and chilling their backs and shoulders while they drilled to protect those profiteers who betrayed them.

I was in the Sandstorm Division, the Thirty-fourth. We trained at Camp Cody, N. Mex., then stopped at Camp Dix, N. J., for final training before we went over. The rainy season hit us there. It rained every day and we drilled every day. I came in many nights soaked through to the skin across the shoulders because of those flimsy raincoats. We drilled rain or shine. The soldier cannot select his weather.

Then the "flu" hit us. The boys died like flies. We stacked them up in the morgue like cordwood. I was on the firing squad. Every morning we marched down to the station to fire a salute over a flag-wrapped body. Then we loaded it onto a train and shipped it back to some station where a little woman in black was waiting to receive it.

Then one day I sat by the bunk of one of my buddies, a lad from Colorado, and heard the death rattle in his throat caused by the "flu" which he had caught while drilling in the rain with one of those flimsy raincoats. The next day they took him to the hospital and a few days later to the morgue. As I stood with the firing squad and we fired the salute over his flag-wrapped body, I thought of some fat-handed, slick-haired, well-groomed millionaire sitting behind his mahogany desk figuring his profits, calculating his bloodstained gold, and I vowed then, if the chance ever came, I would make my war on the profiteer. This is my chance.

SPEAKING FOR THOSE WHO CANNOT SPEAK

My friends, I am speaking for those who cannot speak. Tonight when the sun went down 15 more of my buddies "went west" out of our hospitals. That is the average. They have been dying a slow and tortuous death for 17 years. I am speaking for the men in our TB hospitals, the living dead. Gassed lungs, the white plague, then wait for the end. I am speaking for the orphan children whose daddies fell when it might have been me. Some of them never saw their daddies. I am speaking for the shell-shocked boys whose bodies came back but their minds did not. I am speaking for the soft-cheeked babies and the millions of school children who will be sacrificed in the next war. I am speaking for the Gold Star Mothers, who paid the greatest sacrifice of all. Year before last the Government gave 3,000 of them a trip to France to see the last resting places of their sons.

Do you see the mother as she stands by the grave where they tell her her son sleeps? Stands? What mother would stand? She gets down on the earth as close to him as she can. I am speaking for her. For is not 6 feet of earth and a white cross rather poor compensation to a mother for her years of training and hopes and prayers?

Then I am speaking for those lips that are silent in death.

A million wooden crosses are
Calling out to you,
We died that war may be no more.
What are you going to do?
Our wooden crosses they are dumb,
But the message you can bring,
Tell the world, the careless world,
War is a cursed thing.

—Selected.

Mr. SCHNEIDER of Wisconsin. Mr. Speaker, the neutrality resolution and regulations now in force expire on February 29, and I believe that a stronger and more permanent neutrality policy should be fully considered and enacted into law at this session of Congress.

In order to make clear the position taken by the Progressive Party Members of the House, I ask that there be inserted at this point a petition which was addressed to the Speaker.

To the Honorable JOSEPH BYRNS,
Speaker of the House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: We, the undersigned, constituting the membership of the Progressive Party in the House of Representatives, respectfully petition you and your associate leaders in the House to reconsider the announced intention of bringing before the House the neutrality bill of 1936 under suspension of the rules.

Such a procedure would shut out any and all amendments, stifle discussion, and shut off full and complete debate. We, as liberals, deplore such gag-rule procedure on a measure of such vital importance. Wisconsin venerates her great leader, the late Robert M. La Follette, who threw everything into the balance, to challenge a declaration of war. As his followers, we are dedicated to the same cause and request that the entire subject of neutrality may be opened to full and complete discussion, with ample opportunity for amendments.

Respectfully submitted.

HARRY SAUTHOFF.
B. J. GEHRMANN.
GEORGE J. SCHNEIDER.
GERALD J. BOILEAU.
GARDNER R. WITHROW.
MERLIN HULL.
THOMAS R. AMLIE.

War clouds continue to hang over Europe, and recalling our bitter experiences in the last European war, our people are determined that we should leave no stone unturned to prevent any possibility of again becoming involved in overseas controversies.

Our experiences of the horrors in the so-called war to end wars, less than 20 years ago, are so easily recalled that our people are almost unanimously in favor of avoiding any possibility of a recurrence of that catastrophe. Not only do we recall the tremendous loss of life and property, but we have before us daily reminders of the tremendous toll. Daily I hear the pleas of the veterans who write me of the living horrors their tormented bodies are still enduring.

Since the armistice was signed in 1918, however, science has been designing more terrible instruments of war, so that the next outbreak will not be confined to the field of battle, but the war god Mars will reach out and strike the women and helpless aged in our homes as well as children on their playgrounds and in their schools. Poison gases used in the last war were mild as compared to the instruments certain to be used in the next war.

The Senate munitions committee has clearly pointed out the influences which brought us into the last war, immediately after our people, by solemn referendum, had voted support of a policy of keeping our Nation out of war. Despite abuse and calumny hurled at its members, this group

has clearly pointed out the small, selfish groups which plunged our entire Nation into that bloody conflict to satiate the appetites of these greedy groups for profit and glory.

The extent to which great financial and business interests, with a vital stake in the profits of war, conniving with Government officials acting as their tools, forced us into the last war, is best illustrated by a cablegram, sent by the American Ambassador to Great Britain, to his superiors in the State Department, just a month before we declared war on Germany. The Ambassador's message said, in part:

The financial inquiries made here in London reveal international conditions most alarming to the American financial and industrial outlook. Perhaps our going to war is the only way in which our present preeminent trade position can be maintained and a panic avoided.

Within the past few months, the financial speculators and international bankers have been revealed as sinister influences, exerting powerful pressure on our Government officials, to get a war declaration against Germany so that their dollars invested in foreign countries might be saved.

The late Senator Robert M. La Follette, one of the few who had the courage to oppose the entrance of this country into the World War, charged at the time of the sinking of the *Lusitania* that it carried ammunition. Senator La Follette was condemned and vilified for making his charge, but history has proven that his assertions were correct. Only yesterday on the floor of this House a Representative belonging to the party in power at the time we entered the war, admitted openly what is now an established fact, when he stated that the *Lusitania* carried 4,200 cases of ammunition.

As a result of the careful investigation of war causes and selfish greed of those who find war profitable, there has been prepared by the Senate Munitions Committee a well-rounded neutrality program providing:

First. Strict prohibition of trade with warring nations in munitions of war and war materials as well as warning to our citizens to refrain from risking their lives and property in war zones or on ships of warring countries.

Second. Strict regulation of the exportation of contraband from our country to nations engaged in war.

Third. Forbidding the issuance of any credit or the making of any loan by any American individual or corporations to any belligerent or the nationals of any belligerent in time of war.

The sentiment of the rank and file of our people is nearly unanimous for a strict neutrality program with mandatory provisions. Despite this fact, Congress compromised in adopting a weak stopgap neutrality resolution at the close of the last session, and today as a result of the sinister pressure being brought to bear by the selfish interests which profit from war, enactment of a strong and permanent neutrality law is further delayed.

Special interests have been working in a quiet and subtle manner, but they are coming out in the open more and more and their influence is being brought to bear upon Congress in many ways. As the possibility of war becomes more certain, and these interests see a similar opportunity to that which they used to advantage before the World War, the same powerful propaganda will be unloosed through the press, radio, newsreels, and many other avenues to public opinion which they control.

It will cost us money to stay neutral, but the cost will be very small compared with the tremendous amounts which war costs. In 1929–30 we spent 55.7 cents out of every dollar expended by the Federal Government on past and future wars. During the fiscal year 1936–37 this cost will rise to almost 60 cents out of every dollar, when a total of $4,600,000,000 will be spent.

As ably expressed by the official publication of the Veterans of Foreign Wars:

As long as the people of the United States are able to resist their own individual greed for a temporary period of prosperity, so long will America be able to preserve its position of neutrality. But when the people themselves fall victim to the siren song of silk shirts and soaring salaries then all will be lost, and history will repeat itself with America again paying the price of war with bloodshed, broken homes, and battered souls.

Mr. Speaker, the resolution before the House today, extending the neutrality legislation for a little over a year, is an improvement over the makeshift resolution passed last year. It provides for a ban on credit to warring nations, as advocated by the Progressive group since neutrality legislation was first proposed last year. There are still too many loopholes, however, and greedy commercial groups, willing to profit from human destruction, will still find it profitable to encourage war. These loopholes should be plugged and stricter enforcement provisions written into the neutrality legislation, as proposed in the Nye-Clark bill. Penalties of $10,000 in this legislation mean nothing to the war makers who get millions in profits. The stricter jail penalties and fines up to $100,000 in the Nye-Clark bill are necessary to stop agitation for participation in foreign wars.

Congress should also enact legislation providing for a popular referendum before our country could enter any war except to repel invasion. The Progressives have long been on record in favor of such action, and it is inconceivable that a liberal would vote in favor of a foreign war without approval on the part of the people of the country.

I believe that we should also pass strict laws to entirely take the profits out of war, so that none may gain from human slaughter and international misunderstandings. Our policy of increasing the staggering amounts spent in preparation for war should be reversed. The enormous sums spent for the Army and Navy are sufficient to satisfy the greedy war lords and war makers. In all history armament races between nations have encouraged and led to wars instead of promoting peace. We have only to look to Europe for examples of this kind, and our country should profit by these examples instead of joining the mad race.

We are being told today that this is the best neutrality resolution that we can get passed at the present time. In their public utterances most Members of Congress are definitely committed to a policy of avoiding war. I believe it is only fair to ask our leadership to reveal who is opposed to stronger neutrality legislation. The temper of Congress, as indicated by public sentiment, shows strong sentiment for effective neutrality legislation, and there seems to be no necessity, so far as I can see, for this "gag" rule, under which a neutrality program is being forced through with only 40 minutes of discussion under suspension of the rules without an opportunity to offer amendments to the resolution.

As soon as a foreign war is declared there are those in this country who immediately start taking sides. Old prejudices are revived. Our peace should be guaranteed so far as it is possible to do so by legislation, and neutrality regulations should be so strict that no one, either in public office or otherwise, will be in a position to make mistakes which will involve us in war.

There is nothing in even the most strict neutrality proposals which has been advanced here in Congress which will tie the hands of this country in the event of invasion of American shores. Many of the residents of my district have written me supporting mandatory legislation, and there is no question that the sentiment of our people is overwhelmingly opposed to our becoming involved in any war which will make it necessary to again send the best of our young manhood and our wealth away from this country.

Daily the menace to world peace continues to grow. Our experiences prior to the great destructive World War point out the dangers as selfish financiers, like the Morgans and Du Ponts, see the possibility of material gain. Congress should today erect the safeguards. We can now see clearly the pathway over which we were unwittingly led into the World War. Based on the sordid revelations, a permanent neutrality act, with teeth inserted to enforce its provisions, has been introduced. Delay with halfway measures will only make it more difficult to enact effective legislation later.

I believe we should not pussyfoot on this issue but should pass definite, comprehensive, and permanent neutrality legislation now.

Mr. LUCKEY. Mr. Speaker, on Monday, February 17, 1936, House Joint Resolution 491 was passed by this House under circumstances which I feel duty bound to bring to

the attention of the American people. The object of that resolution was to extend and amend the so-called Neutrality Act—Public Resolution Numbered 67, Seventy-fourth Congress—approved August 31, 1935.

Ever since that memorial Armistice Day of November 11, 1918, the American people have asked and prayed for some measure or some law by which we might be kept out of future wars. But the years slipped by, and nothing was done until the closing days of the first session of the Seventy-fourth Congress, when war clouds hovering over Europe aroused us from our mental lethargy. A makeshift neutrality measure was then jammed through Congress which was to extend to February 29, 1936. Many of us felt that that measure was only a compromise and not what a real neutrality law should be.

On Monday, February 17, when this measure came up for consideration, we were confronted with the worst form of gag rule imaginable. Under the rule only 40 minutes were allowed for debate—20 on each side—and no amendments could be offered. As matters stood, a vote for or against the resolution was a vote for or against the neutrality measure. This was the most damnable trickery perpetrated to prevent what should have been a free and open discussion of this all-important measure. Probably no piece of legislation having such far-reaching effect as this has come before Congress since the armistice—and only 40 minutes for debate! Yesterday hours were spent in debating personalities. Often days are spent in useless political haranguing and in delivering speeches for home consumption. Yet, when an important measure such as this neutrality bill comes up there is no time for debate. We are gagged. We have to vote for this makeshift bill or go without anything at all. As for the Congress representing the people, that seems to be a myth. Various occasions have demonstrated to my mind that we are apparently governed by the Rules Committee.

What is the force behind the scene that brought about this situation? Let us examine. The Foreign Affairs Committee had studied the problem of a neutrality measure. They had held hearings. They had formulated a bill which was a great improvement over the makeshift measure adopted last August. This new bill had a proviso which was intended to keep wartime trade down to peacetime or normal volume; this was the heart of the bill as proposed.

But it seems that some invisible force has put in its sinister work to emasculate that bill. Can it be possible that the oil interests, that the "merchants of death" had dictated what kind of a neutrality measure we should have? Or is it possible that foreign interests are working behind the scene? These things have happened before—and I am asking the question now.

The facts are that a weak bill, House Joint Resolution 491, was substituted for a stronger bill. In other words, the American people were cheated. Who will profit by this substitution? The commercial and industrial interests will profit. Another victory for the "merchants of death." Another case where property interests are placed above human interests. Another case where the love of money is the root of all evil. As I have stated on the floor of the House before, wars are based on greed. Their causes are commercial and the motive for war is gain and loot. Take the profit out of war and you remove the incentive for war. The tragedy is that the bill enacted does not remove the incentive.

I listened to the wonderful speech of my esteemed colleague, Mr. LUDLOW, and again read it as recorded on page 2244 of the CONGRESSIONAL RECORD of February 17. I wish every American citizen would read that speech. I felt just as he did when he said:

> I cannot conscientiously vote for this resolution, because I believe that it wrecks the hopes and aspirations of the American people. * * *

And yet, on the other hand, could we afford to abandon the little that we do have in the present measure? I was opposed to the resolution, but in order to save what neutrality legislation we did have I was compelled to vote for it.

Mr. CROWE. Mr. Speaker, as a peaceful citizen of a peaceful nation, I am in favor of House Joint Resolution 491 as the best neutrality legislation to be had at this time. Any move, any program, or any legislation which will aid our country to keep out of war is to be desired. The legislation before us today contains much that will serve this Nation to that end.

Forbidding and making it unlawful to "purchase, sell, or exchange bonds, securities, or other obligations of the government of any belligerent country or of any political subdivision thereof or of any person acting for or on behalf of such government", will go a long way in the right direction. When you take the profits out of war, there will be few wars.

Making it unlawful to export arms, ammunition, or implements of war to either a belligerent or neutral port for use by a belligerent country is another great wedge to obtain neutrality and keep this Nation out of war. This provision again takes the profits out of war, because no sales, no profits.

It is to be expected that the powerful Du Pont family and their associates will try to make pacifists believe that these provisions will not be of any effect or force. If they did not have strength, the Du Ponts and other munition makers would not use their subversive, undermining influences, as they do. It is extremely unfortunate for the citizens of this country that these "influences" prevailed with such telling effect that more drastic neutrality legislation was not realized. I consider this bill sound and beneficial and the best obtainable at this time.

Making it unlawful to handle the securities of belligerent nations is certainly wise and timely. Not only will it aid in keeping us out of war but it will effect a great economic saving for this country. It would seem that our losses in loans made to the Allies during the World War and their subsequent repudiation would be sufficient to convince any sound-thinking American that loans should never be granted again to European nations. They have shown by their actions that they are a dishonorable group of nations. They promise everything when in distress and disavow all when the evil day passes.

SUMMARY

The United States should attend strictly to her own affairs. Eliminate the exorbitant profits of the munitions makers to the greatest possible degree. Let us build up a strong and adequate merchant marine and abundantly let us build up our national defense in fleet, troops, and air. Fortify our coasts so they may be made impregnable. Fortify our outlying possessions, particularly the Panama Canal Zone, and make the Territory of Hawaii a veritable Gibraltar.

In peace or in war Uncle Sam must have the utmost freedom of the seas to transact business with the friendly, peaceful nations of the world. Let those at war, who desire our merchandise for their civilian population, and goods not for war purposes, come to our ports with the money in their hand and carry the goods away in their own ships.

Let us not again, as in the last war, be dragged into the conflict because of our unpreparedness and the greed of the Du Ponts and others of their coterie.

Mr. GEHRMANN. Mr. Speaker, under leave to extend my remarks in the RECORD, regarding the neutrality resolution, which is House Joint Resolution 491, I would be willing to vote for the extension of last year's neutrality resolution for 60 days, which was only a temporary stopgap, but passage for the continuation of the present makeshift neutrality act, to continue until May 1, 1937, seems unfair and unnecessary at this time.

To enact this resolution, continuing the present weak and inadequate law, is only to dodge the vital issues involved, and perhaps defeat, for a long time to come, the enactment of measures to prevent our being drawn into another war.

The question of neutrality is too important to be passed over so lightly, too important to us when we know that it is possible to repeat the mistakes of 1917. As a sincere believer in neutrality, and I am for the strongest kind of neutrality legislation, I am forced to protest not only against the extension of this makeshift resolution for so long a time, but I am forced to vote against this measure as a protest against

this limitation of debate and the refusal to allow amendments. I protest against the methods by which this measure is being forced down our throats. We could devote a solid week to debate on appropriation bills, and we were allowed to offer amendments to any of them, but when it comes to the most important legislation to be considered, by this or any other Congress, we are limited to 40 minutes of debate, and the gag rule allows no amendments.

Aside from the temporary arms-embargo feature and the provision for the registration of all munitions makers and exporters with the State Department, the present Neutrality Act is not mandatory but only permissive in character. It does not direct; it merely authorizes the President to prohibit Americans from traveling on ships of belligerent nations except at their own risk, to restrict or prohibit the entry of belligerent submarines into American waters or American ports, and to prohibit the delivery of men or munitions from American ports to belligerent ships at sea.

My conscience, therefore, will not allow me to vote for this type of makeshift legislation under the circumstances stated.

Mr. SMITH of Washington. Mr. Speaker, I give my hand and heart to this vote because I favor House Joint Resolution 491, extending and amending the joint resolution (Public Resolution No. 67, 74th Cong.) approved August 31, 1935, dealing with the all-important subject of neutrality. I feel certain that there is an overwhelming public sentiment throughout the land in favor of this legislation. Our people are almost unanimously opposed to war and are determined upon a national policy of absolute neutrality so far as the other nations of the world are concerned. There are few, if any, homes or firesides in America in which there does not abide today a hatred of war and a love of peace in the breasts of the men, women, and children in those homes.

If this resolution is adopted, the law will then provide:

First. Embargo against the sale, exportation, and transportation of arms, ammunition, or implements of war to any and all belligerents, except to American republics, as expressly provided.

Second. Prohibition against the sale of bonds, notes, and other securities of belligerent countries in the United States or the purchase of such securities in the United States; the prohibition of loans or extension of credits of foreign governments or persons representing them, except ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in current, commercial business.

Third. Prohibition against American vessels carrying arms, ammunition, and implements of war to belligerents or for transshipment for use by belligerents.

Fourth. Prohibition of the use of the United States as a base for supplying belligerent ships with arms, ammunition, or implements of war.

Fifth. Special regulations relative to the use of our ports by submarines of belligerent countries.

Sixth. Restraint upon our citizens when traveling upon belligerent vessels.

Mr. Speaker, on April 9, 1935, when this body had under consideration H. R. 5529, to prevent profiteering in time of war and to equalize the burden of war and thus provide for the national defense and promote peace, I said:

Mr. Speaker, I have recently obtained from the library of the House of Representatives one of the few copies which are still extant of Senate Document No. 259, Sixty-fifth Congress, second session, corporate earnings and Government revenues, which shows the earnings of some 31,500 corporations which earned in excess of 15 percent on their capital stock during the war period, many of them as high as several hundred and thousand percent. This report proved so astonishing in its revelations and disclosures that Congress feared to make it public, and it was immediately suppressed and withdrawn from circulation. It is without doubt the most damnable and damning indictment of profiteering in wartime to be found anywhere in the history of the world, and very few persons know of its existence. I had the document called to my attention recently by a friend who held a high position in the service of our Government during the war, and who is of the opinion that its resurrection and republication as a public document would do more to educate the public and the Members of Congress to the evils of war profiteering than any single thing that could be done, and I agree with him. This document presents in its many thousands of columns of cold figures a lurid tale of perfidy, avarice, greed, high crime, and treason which cannot fail to arouse the indignation, anger, and hatred of every normal human being.

It presents, indeed, a diabolical and hellish contrast to the casualty lists, lists of the names of the wounded and killed who sacrificed life, limb, and health, and the myriads who sustained financial and material losses as a result of the war, which President Woodrow Wilson, after his sad experience with the diplomats and statesmen of Europe, declared in his disillusionment was nothing but a commercial war after all.

Mr. Speaker, the present law expires February 29; and, therefore, this resolution extending and amending it is timely and necessary, and is at least a forward stride in the right direction, and I hope it will be followed by others until we have trod the full distance to our ultimate destination and demonetized war and rendered it forever impossible for a few human monsters and ghouls to profiteer and coin millions of dollars out of the tears, blood, and sacrifices of multitudes of their fellow men.

Mr. PFEIFER. Mr. Speaker, in my remarks of February 11 I advocated the reenactment of the Neutrality Act of 1935. I also stated that I would offer an amendment. This modified neutrality act was brought to the House today under suspension of the rules. With debate limited to 40 minutes, and all amendments barred, my request for time on the floor was refused.

The amendment, referred to above, is as follows: "Implements of war shall not include raw material."

Let us go back a few years to the Convention for the Supervision of the International Trade in Arms and Ammunition and Implements of War, signed at Geneva, Switzerland, June 17, 1925. In the report that came out of this conference there was no mention of raw material in the specifications of arms, ammunition, and implements of war.

Time marches on. The Neutrality Act of 1935 brought forth a proclamation by the President of the United States on September 25, 1935, as follows:

THE PRESIDENT'S PROCLAMATION OF SEPTEMBER 25, 1935

The President's proclamation of September 25, 1935, made pursuant to the final paragraph of section 2 of the joint resolution of August 31, 1935, reads as follows:

"By the President of the United States of America

"A PROCLAMATION

"Whereas section 2 of a joint resolution of Congress, entitled 'Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent States; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war', approved August 31, 1935, provides in part as follows:

" 'The President is hereby authorized to proclaim upon recommendation of the Board from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this section',

"Now, therefore, I, Franklin D. Roosevelt, President of the United States of America, acting under and by virtue of the authority conferred upon me by the said joint resolution of Congress, and pursuant to the recommendation of the National Munitions Control Board, declare and proclaim that the articles listed below shall be considered arms, ammunition, and implements of war for the purposes of section 2 of the said joint resolution of Congress:

"Category I:

"(1) Rifles and carbines using ammunition in excess of cal. 26.5, and their barrels.

"(2) Machine guns, automatic rifles, and machine pistols of all calibers, and their barrels.

"(3) Guns, howitzers, and mortars of all calibers, their mountings and barrels.

"(4) Ammunition for the arms enumerated under (1) and (2) above, i. e., high-power steel-jacketed ammunition in excess of caliber 26.5; filled and unfilled projectiles and propellants with a web thickness of .015 inch or greater for the projectiles of the arms enumerated under (3) above.

"(5) Grenades, bombs, torpedoes, and mines, filled or unfilled, and apparatus for their use or discharge.

"(6) Tanks, military armored vehicles, and armored trains.

"Category II:

"Vessels of war of all kinds, including aircraft carriers and submarines.

"Category III:

"(1) Aircraft, assembled or dismantled, both heavier and lighter than air, which are designed, adapted, and intended for aerial combat by the use of machine guns or of artillery or for the carrying

and dropping of bombs, or which are equipped with, or which by reason of design or construction are prepared for, any of the appliances referred to in paragraph (2) below.

"(2) Aerial gun mounts and frames, bomb racks, torpedo carriers, and bomb or torpedo release mechanisms.

"Category IV:

"Revolvers and automatic pistols of a weight in excess of 1 pound 6 ounces (630 grams), using ammunition in excess of caliber .265, and ammunition therefor.

"Category V:

"(1) Aircraft, assembled or dismantled, both heavier and lighter than air, other than those included in category III.

"(2) Propellers or air screws, fuselages, hulls, tail units, and undercarriage units.

"(3) Aircraft engines.

"Category VI:

"(1) Livens projectors and flame throwers.

"(2) Mustard gas, lewisite, ethyldichlorarsine, and methyldichlorarsine.

"In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

"Done at the city of Washington this 25th day of September, in the year of our Lord nineteen hundred and thirty-five and of the independence of the United States of American the one hundred and sixtieth.

"FRANKLIN D. ROOSEVELT.

"By the President:

[SEAL] "CORDELL HULL,
"Secretary of State."

NOTE.—Not one word has been said about raw material. In this respect the President's proclamation is identical with the report of the International Conference of Geneva, in that neither one even mentioned raw material.

Meanwhile, a definite state of war had developed between Italy and Ethiopia. Another proclamation by the President on October 5, 1935, regarding special provisions for Italy and Ethiopia. Again there was no mention of raw material. Now, if the concensus of opinion of the leaders of the countries of the world is that raw material is not an implement of war, then why is it not stated in the Neutrality Act?

If this were so incorporated in the act there would be no excuse for the United States to participate in any international scheme or alliance either with or against any belligerent country.

Mr. BINDERUP. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

I will freely admit that to guard against being involved in war by an act of Congress, as explained by the chairman of the Committee on International Relations, who had this bill in charge, is very difficult. Therefore, plenty of time for consideration of so important a measure is most essential, and even if this Congress would sit 1 or 2 months on nothing but this one bill it would indeed have been time well spent. But regardless of the importance of this bill, it was brought out on the floor of the House by the committee with a provision suspending the rules and the House was given only 20 minutes on a side to speak on the bill, with a time limit of from 1 to 4 minutes for each speaker, and all amendments to the bill prohibited.

How inconsistent to speak on the bill, criticize the bill, discuss plans and amendments, if it was a closed rule and no amendments or suggestions could be considered in the bill. So this so-called neutrality bill was steam-rollered through the House. There is not one single Member in Congress who is satisfied with this bill, this most important measure that was designed to keep us out of war. In fact, the chairman of the committee spent his 4 minutes on the floor apologizing for the bill, and adding that he would have liked to have brought out a good bill but the committee was very much rushed for time, so he said this bill the committee now introduced was the very best they could do under the circumstances. The committee did not write a new bill—they substituted the old bill from last year. In August 1935, just before Congress adjourned, a neutrality bill was rushed through Congress, prompted by the Italian-Ethiopian trouble; everybody was anxious to go home, so we rushed through the bill, consisting of no more than two pages, in an effort to keep us out of war, although everyone knew it was practically worthless. But it was a gesture at least in the right direction, so I, together with others, although we were not satisfied with the bill, voted for this preliminary measure, a bill that would live for just 6 months, or until this present session of Congress, when we promised our people we would pass a real neutrality bill. We in Congress had expected the Committee on Foreign Relations to bring us out a good bill, and to have been given an opportunity to express ourselves on the floor of the House, and by amendment and in other ways make this bill, that is so very important, a neutrality bill in the full meaning of the word.

My first reason for voting against this bill was as a protest against the unreasonable tyranny of a rule that prevents and prohibits duly elected Representatives from being heard on the floor of the people's Congress. My friends, it is just acts like this that breed war, for wars are bred by tyranny, and autocracy and bureaucracy, just as was exercised on the floor of the House of Representatives when this bill was finally passed. The only things that foster peace are liberty, justice, and true democracy. It is only in a world where the people are free and in which the power of government is exercised by the people—people who eventually pay the price of war—that we can look for real cooperation, real neutrality, and a real preventive of war. You cannot buy peace with tyranny, nor can you preserve peace by throttling free speech on the floor of Congress. And so, confronted with a bill that everyone knew was incompetent, I had the choice—I could either vote against the bill (as I did), and explain to my constituents why I voted with a minority against the so-called neutrality bill, when I had always proclaimed my most ardent desire to vote for a bill that would prevent war, or I could vote for the bill and apologize to my constituents for voting for a neutrality bill that was a miserable, spineless camouflage that would only deceive my people into believing we had passed a neutrality bill when in reality I knew that was not the case. I have never believed justice and righteousness have a substitute, nor do I believe duty has an alibi. Congress could have voted as I voted, if necessary staying in session all summer or until we had passed a neutrality bill and kept faith with our people whom we had promised, and who looked to us for just such a bill, as they had a right to do. We should have extended the old makeshift bill passed last session for 2 months, or until our new bill had been passed, and we should never have gone home until the job was finished.

Practically every speaker on the floor apologized for this bill. The chairman of the Committee on Foreign Affairs, in whose committee the responsibility rests, said it was a compromise bill. A compromise with whom? I should like to ask. There is only one answer. With the private interests, those who make their millions out of war, and so by passing this bill we as Representatives in Congress compromised with the Steel Trusts, the Copper Trusts, the Munitions Trusts, the Shipping Trusts, and big business, that make money out of war, that capitalize on the lifeblood of our young men as the World War proved, when they rung up $25,000 in their cash registers every time their shot and shell passed through the body of one of our young boys and sent him into eternity. They did not want a real neutrality bill, these private interests. It would interfere with trade and commerce. And so we compromised, and got a neutrality bill that every Congressman is apologizing for to his constituents. I wanted a neutrality bill that would, first, take the profits out of war, by Government ownership of all munitions factories, but the objectors shouted back, "You cannot do that; the Government must stay out of business." That would destroy the business of Du Pont, Remington Arms, Colt Manufacturing Co., and others; Uncle Sam must not destroy these great business concerns. This class believes property rights are more to be considered than human rights.

Second. I wanted a neutrality bill that would say to the House of Morgan, the symbol of human greed, "If you want to invest the profits you have made in this country in foreign lands, look to that nation for the protection of your property, and if in trouble do not call upon Uncle Sam to send his ships and soldiers over to help protect your foreign investments", for nevermore shall Uncle Sam allow his flag, the emblem of liberty, to float over another Nicaragua as a symbol of tyranny, or over another Philippine Islands as a protection of American plundering wealth.

Third. I want a neutrality bill that will say to the globe-trotters and other citizens of the United States sojourning in other countries where war is threatened or is actually taking place, "Come home; Uncle Sam wants to protect you, but we cannot afford to protect you at the risk of sacrificing the lives of millions of our young men and involving the expenditure of billions of dollars, together with all of the terrible sacrifice that these entail." Uncle Sam shall nevermore tolerate the condition as in the recent Shanghai trouble between Japan and China, when we sent ships and soldiers to protect American citizens and Morgan's factories and financial interests and people, who had worked in Shanghai for 30 years and who still claim Uncle Sam's protection.

Fourth. I want a neutrality bill that shall provide that no army shall ever cross the boundary line of Uncle Sam's domain unless first the matter has been referred to the people to decide, in an election, for or against war, for nevermore shall Uncle Sam become a laughingstock of a group of ungrateful European nations.

Nevermore another Flanders Field where the poppies grow, or another 125,000 precious souls sacrified to the god of mammon; no, not to make the world safe for democracy, as we were taught then to believe, but to guarantee the collection of bonds and stocks and credits for the House of Morgan. Nevermore shall Uncle Sam hold in his hand $22,000,000,000 of foreign bonds on which the American people have paid and paid and will continue to pay—no less than $44,000,000,000 with interest added on—while ungrateful European nations are repudiating and laughing and calling their obligations mere scraps of paper, while they are spending billions of dollars preparing for a new war.

Fifth. I want a neutrality bill that conscripts capital and all profits made during war. If the youth of America shall give their lifeblood, it certainly would not be unreasonable to ask that capital and business shall give their wealth and profits. This will do more to prevent war than anything else. For you cannot touch the heart of selfish greed by pleading for the preservation of the lives of our young men, but you can in this manner touch the pocketbook of this tribe, which responds immediately; and you will find the cry of selfish greed urging "on to war" would immediately be stilled if they had to sacrifice a few dollars. I wanted these and many more important features included in the neutrality bill, but the bill was brought in on the closed rule; we could comment and suggest and criticize all we pleased, but no amendments were permissible. You could vote for the rule or against the rule; that was all. And so with much concern and deep regret I voted against the neutrality bill, and my fondest hopes of being able in this session of Congress to vote for a neutrality bill that would in reality keep us out of war were sacrificed.

Mr. LARRABEE. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to point out what I feel are some of the very important features of the new temporary "neutrality law", which we have enacted within the past few days. The purposes of this law, extending the 1935 act, and amending and strengthening what were believed to be the most vulnerable provisions or omissions of the 1935 act, are not to provide permanent neutrality laws for this Nation, but to provide temporary instruments believed sufficient to keep the United States from becoming drawn into foreign entanglements until such time as Congress, through its properly designated committees has sufficient opportunity to present sound, permanent legislation.

Among those who profess to know most about international affairs and who, perhaps, have given greatest thought and study to neutrality legislation, there is such a definite divergence of opinion that I, for one, am not yet ready to vote for any permanent laws.

I believe the amendments we have just enacted to the 1935 law are sufficient to prevent this Nation from being drawn into any international conflict as the result of any overt act on the part of the citizens of, or the officials of this Nation. The amendment provides for the extension of present laws, with amendments, until May 1, 1937. By that time, I feel, Congress will be better able to enact permanent legislation.

I am especially gratified with the enactment of the amendment to the present law which provides restrictions against financial transactions with belligerent governments. It is believed that this amendment will prohibit any credits or transactions undertaken to be carried on in this country by a belligerent country during any warfare. This section deals with all credits and the purchase, sale, or exchange of bonds, securities, or other obligations of the government of any belligerent country, or its political subdivisions or of any person acting for or on behalf of such government. Very little discretion or authority is given the Executive by this provision, and it is definitely mandatory that such credits and transactions be halted with and between any belligerent nation and credit sources in the United States immediately upon the recognition of existence of a state of warfare.

It is the intention of Congress, through this amendment, to make it impossible for any interests, financial or otherwise, to enter into any transaction of any nature which might tend in any way to draw this Nation into foreign conflict. Perhaps the law, with this amendment, is not perfect—I seriously doubt that it is—but I believe it is sufficient to provide desired safeguards until more perfect legislation is designed.

Briefly, the 1935 law, as amended by the 1936 enactment, provides an embargo against sale, exportation, and transportation of arms, ammunition, or implements of war to any and all belligerents, except to American republics as is expressly provided. It provides definite prohibition against sale of bonds, notes, and other securities in the United States and the prohibition of loans or extension of credits to foreign governments, except ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in current commercial business. The law, as amended, provides definite prohibition against American vessels carrying arms, ammunition, and implements of war to belligerents or for transshipment for use by belligerents. It prohibits the use of the United States as a base for supplying belligerent ships with arms, ammunition, or implements of war. It provides special prohibitory regulations with reference to use of our ports by submarines of belligerent nations. It provides a wholesome restraint and safeguard against our citizens traveling upon belligerent vessels.

It is the general belief of this Congress that the above provisions offer the greatest protection available at this time and the time element is of paramount importance now. The 1935 law expires February 29, 1936, and we must have some law ready to take its place.

With so many controversial issues involved in an effort to enact permanent legislation I have felt it my duty to support extension of the 1935 law, with certain amendments on which the majority seem agreed, and which I feel do definitely and to a large extent strengthen the present law.

As an example of the questions involved, the question of whether or not the protection of the United States shall be accorded its people who may wish to trade with any foreign nation, in commerce requiring shipment on the high seas, during a period of international warfare has been raised. There are those who feel that this Nation should withdraw the protection of our flag from all commerce at such times. Others feel that every possible protection should be extended to all those who comply with our laws, and live within the laws, and who are carrying on commerce abroad in a way that our Nation says is legitimate. This element feels that our Government should extend full protection in such cases, while the opposing element says in effect that if our agents or agencies of commerce enter upon the high seas during any time of international conflict such commerce should be carried on without the protection of the American flag.

There is such a difference of opinion on this subject, and on other similar subjects, that it is apparent that there is no chance of enacting permanent legislation in this session of Congress.

I have also felt that in the light of existing conditions there is grave danger that we might endanger the neutrality which we seek to maintain by going too far with intended prohibitory measures. I am firm in the belief that there is always danger in too much legislation.

In supporting the legislation we have just enacted I feel we have gone as far as is possible with safety at this time; that we have set up sufficient barriers against any dangerous violation of our neutral tendencies, and that we have opened the way to permanent legislation in the next session of Congress.

Mr. GRISWOLD. Mr. Speaker, someone once said that there are just two causes of war, "the avariciousness of the rich and the patriotism of the poor." Without these two factors working in conjunction there would be no war. This Neutrality Act now before the House for its consideration is not all that I would desire to insure neutrality, but it is a far step beyond any legislation which we have had in the past. It does seek to place a curb on the avariciousness of those who look upon war primarily as a means of increasing their wealth forgetting the men who must fight the war. I commend the committee for placing in the act section 1a, making it "unlawful for any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any belligerent country, or of any political subdivision thereof, or of any person acting for or on behalf of such government, issued after the date of such proclamation, or to make any loan or extend any credit to any such government or person."

I regret that the committee saw fit to exempt from the operation of this section the "ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in the normal peacetime commercial transactions." I believe that this legislation would have been much better if this exempting clause had been left out. A nation, when it goes to war, should, insofar as other nations are concerned, be isolated. A neutral nation is always drawn into the conflict in an insiduous, secret, serpentine manner. This exemption, innocent as it may appear, leaves an opening for the body politic to be infected with the war germ. It is my belief that we will only have freedom from wars when we cease to allow legislative bodies to vote wars.

I am a believer in the rule of the majority. If the majority of the people who must fight the war are willing to vote a war then, in a democratic government, war it should be. I do not think that a few men should have the power to vote a war that must be fought by the majority. When Congress votes a declaration of war the next thing to do thereafter is to determine who shall fight the war. In the past the membership has gazed at one another and discovered that the vast majority of the Members of the Congress were beyond 45 years of age and immediately the bright minds in both these bodies reached the conclusion that the actual fighting should be done by men under 45 years of age. I submit that this is not fair nor just. We older men, by our votes, shove the young men into the battle line.

We talk much of the cost of war in dollars. I am interested more in the cost of war that cannot be measured in dollars—the cost of war that is evidenced in the loss of brain power to the Nation. In my district is located at Marion, Ind., one of the largest Veterans' Administration mental hospitals in the United States. If you would know the greatest cost of war, then you should view the dead minds in living bodies that reside in that hospital.

In this, a government of majorities, in such a vital thing as war, I think it just and right and proper that the men who are to suffer the loss of their minds, the men who are to have twisted bodies as a result of the war, and the parents who must bear the anguish and torture of awaiting the casualty list should have some vote in the declaration of war. Until we shall have reached the place where we can provide legislation that will permit a declaration of war to be passed upon by the expression of the majority of our citizens I am of the opinion that we cannot have a neutrality act that would be too strict and mandatory in its terms. I accept this act and vote for it because it is a step in the right direction.

EDWARD SHIPPEN WEST (H. DOC. NO. 410)

The SPEAKER laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

I return herewith, without my approval, H. R. 4858, entitled "An act for the relief of Edward Shippen West."

This bill authorizes me to summon Edward S. West, late captain of Cavalry, Regular Army, before a retiring board for the purpose of hearing his case and to determine whether his disabilities were incurred during his active service in the Army in line of duty, and if, as a result of such inquiry, the findings are affirmative to place him upon the retired list of the Army with the rank and pay of captain.

The records of the War Department show that the beneficiary of this measure served with the North Carolina National Guard from July 15, 1916, to March 24, 1917; as an emergency officer from August 15, 1917, to October 31, 1919; and as an officer of the Regular Army from September 12, 1920, to November 1, 1922, when he was honorably discharged from the service with 1 year's pay, under the provisions of the acts of June 30 and September 14, 1922, reducing the commissioned strength of the Army.

Under date of August 26, 1922, Captain West applied for retirement for physical disability resulting from a broken hip and a broken wrist. He was examined by a board of medical officers, and the commanding general, Eighth Corps Area, who forwarded the report with the request of Captain West, stated there was no evidence of disability sufficient to warrant Captain West's appearance before a retiring board, and the Surgeon General, after a review of the case, expressed the same opinion. Captain West was accordingly honorably discharged from the service.

The medical officers who examined Captain West at the time of his discharge from the service, November 1, 1922, certified that he was physically and mentally sound, with the following exceptions:

> Flexion of right thigh upon abdomen limited to 90 percent of normal. Other movements of joints normal. Right lower extremity shows shortening of one-fourth inch. X-ray negative. Gives history of impacted fracture head of right femur by being thrown from horse November 27, 1920. Fractured right wrist May 1921. Examination with X-ray negative. Lateral motion of wrist joint 75 percent of normal.

and reported that, in view of occupation, he was 10 percent disabled.

From the facts in this case as disclosed by the records of the War Department, it appears that this former officer's discharge from the military service was strictly in conformity with the method specifically provided by the legislation directing the elimination of officers in 1922, and that the question of his physical condition was carefully studied by the War Department at that time.

Granting that he is now suffering from incapacity incident to his military service, the Government has provided by law the means of extending relief to former members of the military forces through the agency of the United States Veterans' Administration, and I can see no justification for singling out this former officer for preferential treatment when others in the same category are not similarly treated.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *February 17, 1936.*

The SPEAKER. The objection of the President will be spread at large upon the Journal.

Mr. MCSWAIN. Mr. Speaker, I move that the message of the President and the bill be referred to the Committee on Military Affairs which reported the bill to which it relates, and ordered printed.

The motion was agreed to.

COMMISSIONS IN THE REGULAR ARMY TO THE R. O. T. C.

Mr. HARTER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. HARTER. Mr. Speaker and Members of the House, permit me to make a few brief observations relative to the adoption of this amendment, the purpose of which is to amend the War Department appropriation bill, which we are considering so that 1,000 graduates from R. O. T. C. colleges and universities may be inducted into the Regular

Army with the grade of second lieutenant for a year's training and at the expiration of such training period, 50 of each class of 1,000 will be given permanent commissions as second lieutenants in the Regular Army.

In this great Republic, whenever it has become necessary for it to engage in war, and I know, Mr. Speaker, that we all sincerely hope we shall never have to enter another, there has been no lack of patriotism on the part of the youth and the manhood of this Nation. We have always had a tremendous number of civilian volunteers who were ready to give their services and, if necessary, make the supreme sacrifice in the defense of their country.

We know that today, if a foreign foe were to invade this country, that our whole people would rise up in the defense of America. But we are faced with practical considerations in our scheme of national defense. We live in a mechanical age. The inventions of the generation in which we live are used in the art of war as well as in the arts of peace. The training and development of an officer is no small task.

It is far more complicated today than it was at the entry of this country into the World War. Those men who participated in that gigantic conflict best know the advantages to the recruits who have an opportunity of serving under officers properly and adequately trained. We owe it to the youth of this country to protect them in case it becomes necessary to fight a defensive war, by building up, through the years of peace, officer personnel that will be fully trained and that will know how to handle men and protect them so far as it is humanly possible if a national emergency should occur.

Through this amendment we purpose to give 1,000 college graduates, who have had 4 years of Reserve Officers' Training Corps experience with their respective colleges, the advantage of an additional year's actual experience in the Regular Army, attached to the several combat branches of our armed forces.

In this way, we shall develop annually an additional 1,000 officers who will be available should the necessity arise. After graduation from the R. O. T. C. under normal conditions, these men would have about 2 weeks' training annually, a freshening course. Think of how much more adequately they will be trained if they have an opportunity to go directly to the Army for a year. The simplest calculation will show how many additional trained officers will be developed over a period of a few years and who would be of the age and physique that they could be called upon in time of national emergency.

If it is only deemed advisable to utilize the services of those who have served under this plan during a preceding period of 10 years, we would have 10,000 additional officers, the oldest of whom would probably not average more than 32 years of age.

When we consider that the present officer strength of the Regular Army is 12,000, and that there are about 13,000 officers of the National Guard, think of the tremendous advantage that would accrue through this proposal should it be necessary to expand our armed forces and develop a large trained army in a short period of time.

We would have 10,000 officers of junior grade, between the ages of 22 and 32, ready to impart to the rank and file the knowledge and the information that would come to them through this year of intensive training.

This, Mr. Speaker, appeals to me as the outstanding advantage that will come to our country through the adoption of this amendment. The amount of money involved annually—considerably less than $2,000,000—is infinitesimally small in comparison with the peace-time expenditures that we have been witnessing recently. When we consider the tremendous outlay upon work relief, the development of public works in this country, the entry of the Government into many fields, the desirability of which many of us doubt, we surely should not hesitate to make this expenditure, which is bound to yield such large dividends in saving the lives of many of our citizen soldiers should we be called upon to enter another war.

There is this further highly commendable feature of this amendment which has been discussed at length by the chairman of the Military Affairs Committee of this House and others, the granting of commissions in the Regular Army to 50 men from civil life annually should have a most wholesome effect. At the present time our incoming officers, with few exceptions, are all graduates of the Military Academy. We know that they are fully and adequately trained, but we believe that it will have a most wholesome effect and tend to make our Army more fully representative of a democracy if part of its officers are drawn directly from civil life, but after full and thorough training.

I hope, Mr. Speaker, this amendment will be adopted.

REPORT OF THE GOVERNOR GENERAL OF THE PHILIPPINE ISLANDS (H. DOC. NO. 411)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Insular Affairs and ordered printed:

To the Congress of the United States:

As required by section 21 of the act of Congress approved August 29, 1916, entitled "An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands", I transmit herewith, for the information of the Congress, the report of the Governor General of the Philippine Islands for the calendar year 1934.

I concur in the recommendation of the Secretary of War that this report be printed as a congressional document.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *February 17, 1936.*

FEDERAL COMMUNICATIONS COMMISSION

Mr. CONNERY. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CONNERY. Last Friday the people of the United States celebrated Valentine's Day. The Federal Communications Commission took advantage of the day to present to the American people a valentine, the like of which I hesitate to believe has ever been presented by a governmental agency to the Congress or to the American people.

With a committee of five of the seven members having sat for the past 6 weeks investigating alleged corruption or misconduct on the part of some of those officially connected with this governmental agency, this body, with the signatures of five of the seven members attached to the report, state that the Chairman and the secretary of the Commission were told by the son of the Chairman and an associate, one Major Kilduff, that they had overheard a conversation wherein the vice president of one of the national broadcasting companies was alleged to be able, on payment of $25,000, to straighten out the difficulties of an applicant for favor at the hands of the Commission. Further, that the applicant was prepared to pay $25,000 or $50,000.

The report further states that the secretary of the Federal Communications Commission told the committee of five of the seven members of the Federal Communications Commission that the alleged conversation which was heard, or supposed to have been heard by the son of the Chairman of the Commission and Major Kilduff, included a description of a person connected with the Commission who could be "gotten to", which description was discussed by those present, although the person was not identified, and, further, an intimation that the described person had been in the pay of some company for a number of years.

The committee in its findings states:

> The committee is unable to state whether the alleged conversation ever took place. If the purported statements were made, they have been completely repudiated. Grave responsibility for unsupported statements attacking the integrity of a Government official lies at the door of some person involved in this matter.

Is it the belief of any Member of this House that those who made such statements or who were alleged to have discussed the possibility of bribing a public official are going to admit willingly that they entered into such a conspiracy?

The resolution which I presented to this House some weeks ago, and which is now before the Rules Committee for consideration, did not touch on this situation. It did positively call to the attention of the House the fact that 16 Members of this body jointly petitioned the Federal Communications Commission for action against a chain of broadcasting stations which had allegedly broadcast an obscene and indecent program; that the Federal Communications Commission had deliberately attempted to deceive the Members of this House by citing to them language as contained in a court decision which is not to be found in the decision cited; that this petition requested a public hearing and none was granted.

When the independent offices appropriation bill was before the House for consideration I pointed out how the Chairman of the Federal Communications Commission had erroneously answered a query as to the number of radio stations which were affiliated with the three major networks, which query was asked by a member of the Appropriations Committee of this House.

In the CONGRESSIONAL RECORD of January 7, 1936, on page 129, one of the present members of the Federal Communications Commission is quoted as having said, in part, in an address at the school of journalism, Columbia University:

> There is in progress an obvious, practical, pragmatic endeavor on the part of those controlling commercial broadcasters to make the Federal Communications Commission a subservient instrument to commercial radio.

Continuing, this member of the Commission is quoted as saying:

> I realize that this is a very broad statement to make, but it is one that is borne out by the facts, and one that, at some other time, more appropriate and less crowded, I shall justify in detail.

In view of the fact that the party, innocent or otherwise, who was alleged to be able to deliver certain decisions or to straighten out certain difficulties which applicants for favor at the hands of the Federal Communications Commission were unable to do themselves is the vice president of one of the principal networks, is not the public statements of this member of the Commission a virtual challenge to the Congress of the United States to protect the people of our country from a further entrenchment of the monopoly which we all know now exists?

Of the 40 high-powered, clear-channel stations, the Chairman of the Federal Communications Commission admitted, in a letter which is printed in the CONGRESSIONAL RECORD, there are only two which are not affiliated with or controlled by the three major networks. Does not this constitute monopoly?

I sincerely trust that the Rules Committee will soon present to the House a favorable report of the resolution which I have presented, which resolution calls for a congressional investigation into the activities of the Federal Communications Commission and those under their jurisdiction.

Mr. Speaker, I ask at this point unanimous consent to extend my remarks by inserting this report of the Federal Communications Commission of February 14, 1936.

The SPEAKER. Is there objection?

There was no objection.

The report referred to is as follows:

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D. C., February 14, 1936.

The Federal Communications Commission today made public the following report:

REPORT OF THE COMMITTEE APPOINTED BY THE COMMISSION JANUARY 9, 1936, TO INVESTIGATE THE FACTS AS TO THE CONVERSATION ALLEGED TO HAVE TAKEN PLACE IN THE WILLARD HOTEL ON SEPTEMBER 5, 1935

On January 9, 1936, the Commission appointed the undersigned as a committee to investigate what was known as the Willard Hotel incident. The committee immediately began its work, and on January 10, 1936, it requested the Department of Justice to make a full and complete investigation of the matter. Pursuant to that request, a report was submitted to the committee on January 25, 1936. The committee then requested the Department of Justice to procure certain additional information, pursuant to which request a supplementary report was made by the Department on February 1, 1936. With this report the Department of Justice informed the committee that "this closes the investigation." The committee itself examined, among others, all persons now on the Commission's staff who participated in the hearings on the applications of the Howitt-Wood Radio Co., Inc., owners of Station WNBF, Binghamton, N. Y., and the Knox Broadcasting Co., Schenectady, N. Y., for facilities on 1,240 kilocycles.

The committee has obtained sworn statements from all persons interrogated either by the Department of Justice or by it. Upon the basis of those statements and of other information obtained by it, the committee submits the following report:

On September 5, 1935, after the recess of the afternoon session of the hearing on the application of the Knox Broadcasting Co., Mr. Cecil D. Mastin, of Binghamton, N. Y.; Mr. Harold E. Smith, of Albany, N. Y.; Mr. C. M. Jansky, Jr., and Mr. Alfons B. Landa, of Washington; and Mr. Maurice Jansky, of Madison, Wis., met in Mr. Mastin's room (803) at the Willard Hotel. There they discussed and criticized the hearings which they had just left. Highballs were served, but some of those present state that they did not participate.

Mr. A. Mortimer Prall was registered in room 804, which adjoined Mr. Mastin's room. With him that afternoon was Maj. Malcolm M. Kilduff.

Mr. Prall and Major Kilduff joined Mr. Anning S. Prall, chairman of the Federal Communications Commission, and Mr. Herbert L. Pettey, secretary of the Commission, at Chairman Prall's apartment for dinner that evening. There they told the substance of a conversation which they said they had overheard late that afternoon in room 803. The essential feature of the overheard conversation, as Mr. Mortimer Prall and Major Kilduff states it was told to Chairman Prall and Mr. Pettey, was that Mr. Harry Butcher could straighten out station WNBF's difficulties with the Commission for $25,000 and that one of the speakers was prepared to pay $25,000 or $50,000. This story was told to an agent of the Department of Justice who came to the apartment that evening to begin an investigation in response to a request from Chairman Prall.

Mr. Pettey has informed the committee that the alleged conversation as it was reported to Chairman Prall and himself that evening also included (1) a description of a person connected with the Commission who could be "gotten to", which description was discussed by those present, although the person was not identified; and (2) an intimation that the described person had been in the pay of some company for a number of years. Mr. Pettey's recollection was that the description was given to the agent of the Department of Justice; this does not accord with the agent's report. The intimation that the described person had been in the pay of some company was not passed on to the agent.

Mr. Mortimer Prall states that on September 6 he told Chairman Prall and Mr. Pettey that upon his return to his room about 12:40 a. m. he had heard one man in room 803 tell another that a described, but not named, Commissioner had instructed the examiner what to recommend. That same day Mr. Mortimer Prall told the Department of Justice agent that he had given the agent all the information in his possession, but he did not mention the description or the purported instructions to the examiner. A short time thereafter Chairman Prall and Mr. Pettey informed the agent that they had no information in addition to that which had already been furnished to him.

The investigation by the Department of Justice was suspended early in September after Chairman Prall had told the agent that the psychological moment for pursuing it had passed and that the investigation could be more advantageously pursued later.

Upon receiving a report on the matter from Chairman Prall on December 18, 1935, the Commission directed the chairman to request the Department of Justice to continue the investigation. Except for a letter of December 30, 1935, reciting developments as they stood early in September, the committee has seen no report from the Department of Justice prior to that of January 25, 1936.

Each of the occupants of room 803 has sworn that he made no such statements as those reported by Mr. Mortimer Prall and Major Kilduff; likewise each has reported that he did not hear any such statements made by anyone in the room. Mr. Butcher has sworn that never upon any occasion did he make any statement that anyone on the Commission "could be bought or controlled." All of the persons involved have declared that they have never made any statements reflecting upon the character and integrity of any member of the Commission.

The examiner who heard the Knox Broadcasting Co. application has testified that no member of the Commission, or any other person, spoke to him about his recommendation or about any phase of the hearing. The committee's investigation within the Commission reveals no irregularities in the handling of either the Binghamton or the Schenectady application.

The committee is unable to state whether the alleged conversation ever took place. If the purported statements were made, they have been completely repudiated. Grave responsibility for unsupported statements attacking the integrity of a Government official lies at the door of some person involved in this matter. If the individuals responsible could be identified, they should be prosecuted as relentlessly as the maligned person should have been had the charges been substantiated. While we conclude that there is no basis for the charges made, we keenly regret that we cannot fix the responsibility for them.

Respectfully submitted.

IRVIN STEWART, *Chairman.*
THAD H. BROWN.
PAUL A. WALKER.
NORMAN S. CASE.
GEORGE HENRY PAYNE.

LIST OF DOCUMENTARY EVIDENCE CONSIDERED BY THE COMMITTEE

1. Letter of December 19, 1935, to the Federal Bureau of Investigation.
2. Letter of December 30, 1935, from Federal Bureau of Investigation.
3. Letter of December 31, 1935, from Mr. Harold E. Smith to Mr. Harry Butcher.
4. Letter of January 2, 1936, from Mr. Cecil D. Mastin to Mr. Harry Butcher.
5. Transcript of telephone conversation between Mr. Harry Butcher and Mr. Alfons B. Landa.
6. Transcript of telephone conversation between Mr. Harry Butcher and Mr. Cecil D. Mastin.
7. Transcript of telephone conversation between Mr. Harry Butcher and Mr. Harold Smith.
8. Memorandum of telephone conversation with Mr. E. A. Tamm, January 10, 1936.
9. Letter of January 10, 1936, from Chairman Prall to Federal Bureau of Investigation.
10. Letter of January 14, 1936, to Federal Bureau of Investigation.
11. Letter of January 21, 1936, from Federal Bureau of Investigation.
12. Letter of January 25, 1936, from Federal Bureau of Investigation containing copy of report and copies of sworn statements by: (a) Harry C. Butcher, (b) C. M. Jansky, Jr., (c) Aaron Kellert, (d) Malcolm M. Kilduff, (e) Alfons B. Landa, (f) Horace L. Lohnes, (g) Cecil D. Mastin, (h) A. Mortimer Prall, and (i) Harold E. Smith.
13. Letter of January 27, 1936, to Federal Bureau of Investigation.
14. Letter of February 1, 1936, from Federal Bureau of Investigation enclosing copy of report and sworn statement of Mr. Maurice Jansky.
15. Letter of February 3, 1936, to Federal Bureau of Investigation.
16. Transcript of statement by Miss Mary Belle Anthony.
17. Transcript of statement by Mr. Tyler Berry.
18. Transcript of statement by Mr. John P. Bramhall.
19. Transcript of statement by Mr. Herbert L. Pettey, January 10, 1936.
20. Transcript of statement by Mr. Herbert L. Pettey, February 6, 1936.
21. Transcript of statement by Mr. P. W. Seward.
22. Transcript of statement by Judge E. O. Sykes.
23. Transcript of statement by Mr. John Wesley Weekes.
24. Letter of February 10, 1936, to Judge E. O. Sykes.
25. Letter of February 10, 1936, to Chairman Anning S. Prall.
26. Memorandum of conversation with Chairman Anning S. Prall, February 10, 1936.
27. Summary of information relating to application of Knox Broadcasting Co., Inc.
28. Summary of information relating to application of Howitt-Wood Radio Co., Inc.
29. List of participants in hearing on application of Knox Broadcasting Co., Inc.
30. List of participants in hearing on application of Howitt-Wood Radio Co., Inc.

Mr. CONNERY. Mr. Speaker, I was in New York last Monday speaking at a Democratic service men's gathering in the Hotel Commodore. At a certain luncheon which I attended that same day I talked to a man who probably knows as much about radio and all its workings as any man in the United States. I am not going to mention his name. It would embarrass him at this point. He will be glad to come before the committee at the proper time. That man said to me, "BILLY CONNERY, Congress does not dare to investigate the Radio Commission, and it does not dare to investigate radio broadcasting because the biggest lobby in the United States, the Power Trust, controls radio, and Congress does not dare to investigate radio."

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. CONNERY. Mr. Speaker, I ask unanimous consent to proceed for 3 additional minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. CONNERY. I say this is a challenge to the Congress of the United States, that there is any group of men or any lobby in the United States which can say to the Congress or which makes the statement to the Congress, "You do not dare to investigate the Radio Trust." As I have said on previous occasions, this is an unpleasant task. It will mean to me, if the Speaker should choose to appoint me chairman of that committee, long hours of hard work on that committee. It is not pleasant to sit long hours day and night, investigating a rotten situation in the radio industry; but, like the gentleman from Illinois [Mr. SABATH], who has done such fine work with his special committee investigating the issuing of fraudulent bonds and mortgages, I am willing to work and work hard to protect the American people from exploitation by this powerful Radio Trust. This investigation should proceed, Mr. Speaker. I think that situation should be cleaned up, the homes of the American people protected, and a privileged few denied the opportunity of controlling information furnished to the American people by a monopolistic control of radio broadcasting.

The SPEAKER. The time of the gentleman from Massachusetts has again expired.

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that the gentleman be given 5 additional minutes.

Mr. BANKHEAD. Mr. Speaker, reserving the right to object, the gentleman said he wanted 5 minutes to present this matter. Now he has had 8 minutes, and I do not think he should ask for further time.

Mr. ZIONCHECK. I ask unanimous consent that the gentleman be allowed to proceed for 2 additional minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. CONNERY. In conclusion, many Members of the House feel that this investigation of radio is a very important matter and should be acted upon by this House. I have had letters from all over the United States protesting about conditions on the radio and conditions in the Federal Communications Commission. Many Members of this House are anxious to have these conditions cleaned up and believe that the Rules Committee ought to report to this House a resolution for a thorough investigation of radio broadcasting from top to bottom.

Mr. ZIONCHECK. Will the gentleman yield?

Mr. CONNERY. I prefer not to yield.

The SPEAKER. The time of the gentleman from Massachusetts has again expired.

Mr. BANKHEAD. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The Chair trusts the gentleman will withhold that for a few moments.

Mr. BANKHEAD. I will withhold it, Mr. Speaker.

EXTENSION OF REMARKS

Mr. BROWN of Georgia. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein excerpts from an address by Judge Blanton Fortson, a distinguished jurist in my State and district, dealing with national income and expenditures, delivered at Atlanta, Ga.

The SPEAKER. Is there objection?

Mr. RICH. Reserving the right to object, Mr. Speaker, the gentleman mentioned excerpts from newspapers. We cannot permit that. I object.

NEUTRALITY

Mr. HIGGINS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. HIGGINS of Massachusetts. Mr. Speaker, notwithstanding the fact that application of the "gag" rule prevents extended debate on this subject and that the Committee on Foreign Affairs has agreed to abandon the original so-called administration bill, which would have given the President unprecedented and unusual discretionary power over our trade in dealing with the belligerents in the present conflict, I feel that it will be of interest to the Members of the House to analyze the causes for the change of opinion on the part of Secretary Hull since the passage of the neutrality bill in August, as to what constitutes neutrality, and bring to public attention some of the glaring inconsistencies of our present foreign policy and the tendency to involve, by a "back door" method, this Government in the League of Nations.

The purposes, I assume, of any neutrality bill, are to safeguard the peace and welfare of the United States in dealing with other nations engaged in war. The neutrality bill that was originally proposed and since abandoned was an attempt to shape a new policy of neutrality from which the nations of the world may derive a clear understanding of the attitude of our Government on all matters relating to the pres-

ent conflict in Europe. The aim of legislation to keep us out of war is most commendable and moved by the highest ideals of modern civilization and meets with my wholehearted approval, but the means of attaining this end under the provisions of the recently abandoned bill are not so good. The bill was developed around the neutrality law passed last August, but represents a wide departure from the policy of neutrality as expressed at that time, and abandons all former ideas of international law on the subject of neutrality.

PRESIDENTIAL PROCLAMATION, OCTOBER 5, 1935

When the Congress passed the Neutrality Act on August 31, 1935, our problem was fundamentally simple, for it was in the time of peace. We laid down a definite American neutrality law. On October 5 the President issued a proclamation in compliance with the provisions of the act as passed by Congress. He proclaimed that a state of war unhappily exists between Ethiopia and the Kingdom of Italy and admonished all citizens of the United States to abstain from every violation of the provisions of the Neutrality Act and made effective the embargo forbidding arms, ammunition, and implements of war from being exported from the United States to Ethiopia or to the Kingdom of Italy or any of its possessions, or to any neutral port for transshipment to, or for the use of, Ethiopia or the Kingdom of Italy.

The language of the Neutrality Act passed by Congress was plain and understandable and the President described in detail in his proclamation what was included by the phrase "arms, ammunition, and implements of war." Significantly, no mention was made at the time of including oil, cotton, and other raw materials in this classification of "arms, ammunition, and implements of war." For the President to place an interpretation on the provisions of the act was proper, for the Neutrality Act was to be our guide and the cornerstone of our economic policy toward the belligerents. Keep in mind the dates of these events for they are of importance in determining the cause for the change of opinion as to what constitutes neutrality.

SECRETARY HULL'S RADIO ADDRESS OCTOBER 10, 1935

The annual New York Herald Tribune Forum on Current Affairs was held on October 10, and our Secretary of State Cordell Hull, in a radio address from Washington, took occasion to discuss relations between the United States and the outside world and more particularly problems connected with the age-long question of peace and war. Mr. Hull set forth in a part of that address a very clear statement as to the American policy toward the outside world, quote from the radio address by Secretary Hull:

> The main lines of American policy are clear. This country has no aggressive ambition of any kind. We make no threat against the territory or the safety of any other country. We are prepared to defend ourselves against any threat to our own safety and welfare. We are determined not to enter into armed conflicts that may arise between other countries. On these matters the great majority of the American people are agreed.

That brief statement is a true expression of the views held by the American people. He then proceeds to justify our Government's exerting a "moral influence" in world affairs, quote:

> But our duty, and the necessities of the situation, do not end there. We have an opportunity to exert an enormous moral influence throughout the world in support of peace and a peaceful settlement of controversies. We should exert it, and we are exerting it.

In light of this statement, I am wondering is he the same Secretary of State Cordell Hull who 6 short months ago persistently advised the President not to use his good offices to reach a peaceful settlement of a controversy based upon human rights and liberties in Mexico; when a congressional committee, of which I had the honor to be chairman, pleaded with him to urge the President to use his offices toward the end that millions of humans (on this continent, not in Europe) would be freed from the bondage of intolerance and the fear of murder and outrage at the hands of a godless and communistic government. I am aware that Mr. Hull will distinguish "a peaceful settlement of controversies" as applying among nations and not to "controversies" which arise within a nation, but if he is a great moralist, then all problems based on morality should have a like appeal to his sense of justice.

The language of his radio address on this occasion is the first inkling that we have as record of his ultimate goal to have us join in effect with the purposes of the League of Nations, quote:

> Nor does this exhaust the limits of our duty or of the necessities of the problem of maintaining peace. For that end some mastery over the causes of conflict is required, a mastery only to be obtained by the simultaneous action of many countries. I have in mind, primarily, action in the economic and monetary spheres. In the task of remedying the conditions and difficulties which foster conflict, a common basis of action must be found with other countries.

If we grant that we should exercise a moral influence to bring about a peaceful termination of the present European conflict, does Mr. Hull contend that the application of sanctions on raw materials such as oil and cotton, which were not mentioned in the Neutrality Act passed in August, will bring about a peaceful settlement of this controversy between Italy and Ethiopia? "Sanctions" means enforcements. They have been defined as "specific penalties to enforce obedience to a law." What law? Surely not the United States neutrality law because that was enacted to preserve our neutrality in the war between Italy and Ethiopia. Our conception of neutrality is based upon the definition given to us by George Washington in a proclamation issued over 100 years ago on the occasion of war among Austria, Prussia, and Great Britain, on one side, and France on the other:

> The duty and interest of the United States require that they should with sincerity and good faith adopt and pursue a conduct friendly and impartial toward the belligerent powers.

If the "law" referred to in the definition of "sanctions" does not mean our neutrality law, then obviously it must refer to the law of the League of Nations.

SANCTIONS UNDESIRABLE

Sanctions are objectionable in that they create artificial antagonisms between countries that have no conflicting interests and ought to be on the best of terms. Under the provisions of the bill before us for consideration, the President is authorized, during a war, to ban shipments of materials, used ultimately in war, to any belligerent nation.

Under this section, the President could wait until after the League of Nations had voted sanctions against a belligerent and then join the League in banning whatever goods had been prohibited in the sanctions. The purpose of the bill is toward international cooperation on the matter of sanctions. Sanctions are an act of war, and if we join with the League in imposing sanctions, we will be drawn inevitably into the conflict. When sanctions are imposed by individual nations, or collectively, someone must enforce them, in the event that Italy refused to accept the sanctions voted. This was the identical situation if the League had voted sanctions against Japan for her aggression over Manchuria. Logically one would say that the British Navy was the agency that should be used to enforce the League sanctions in the Japan case. The fact that England and every other member of the League of Nations refused, when the matter was discussed, to enforce these sanctions against Japan, because it would mean war for Great Britain, is mighty fine evidence that sanctions cannot be enforced among nations as they are organized today. Why the sanctions for Italy and not for Japan? The happenings in the Far East are immeasurably more sinister than the acts of Italy in the present conflict. The greater part of China, including Manchuria, inner Mongolia, and China proper, with 100,000,000 people and vast resources, is being taken over by Japan, and neither the League of Nations nor any other country can do anything to prevent it.

China is a member of the League of Nations, and has appealed to it in the name of obligation and justice to come to her aid in this, her hour of distress. Japan continues to assault and despoil China and no tie of honor has brought the League of Nations to her assistance. Then why should the League of Nations invoke its covenant against Italy?

PRESENT UNITED STATES FOREIGN POLICY FOLLOWS LEAGUE OF NATIONS

No nation that is a member of the League of Nations feels that it can trust that organization to guarantee its security. Japan withdrew from the League when she invaded and pillaged China. Germany disregards her mandate. Austria, Hungary, and Albania, League members, have said that they would do nothing to impair their friendship for Italy. Switzerland, the home of the League, stands out against economic sanctions because of her "special position." Argentina pleads "special position" and prepares to sign a new trade pact with Italy. With two great world powers outside the League of Nations and the confusion and uncertainty of League members on the matter of sanctions, the United States persists in bolstering up the tottering form of an organization (League of Nations) whose existence cannot be justified by any contribution it has made toward international peace.

With chaos and dissension among member nations in the League of Nations, meeting as to the policy on sanctions on October 21, 1935, the Committee of Coordination of the League decided to enlist the aid of nonmember nations and accordingly a communication was directed to our attention through our Minister to Switzerland, Hugh R. Wilson (State Department document; letter from president of the Committee of Coordination):

SIR: As president of the committee of coordination of measures to be taken under article 16 of the Covenant, I have the honor to transmit herewith to states nonmembers of the League, in accordance with the decision of the coordination committee formed as the result of the recommendation adopted by the Assembly on October 10, the principal recent documents in the Italo-Ethiopian dispute, including the minutes of the Council of October 7, the minutes of the Assembly of October 9 to 11, and the recommendations of the coordination committee.

I am instructed to add that the governments represented on the coordination committee would welcome any communication which any nonmember state may deem it proper to make to me, to notifications of any action which it may be taking in the circumstances.

I have the honor to be, Sir,
Your obedient servant,

AUGUSTO DE VASCONCELLOS,
President of the Committee.

Secretary Hull was familiar with the fact that the League had invoked the provisions of article 16 of the Covenant of the League of Nations for the first time in its history, because he had, according to the above letter, the recent documents in the Italo-Ethiopian dispute, and the minutes of the League meetings of October 7, 9, and 11, before him. He was aware that article 16 demands immediate financial and economic rupture with the aggressor state; and that the League had already adjudged Italy the aggressor. What was his answer? Mr. Hull's reply, far too lengthy to quote, can be briefed as to the substance by quoting the enthusiastic greeting it received in the December (1935) issue of the Carnegie Endowment for International Peace, the arch disciple of the League of Nations interests here in America, quote page 542, bulletin 315:

The nonmember problem in general, and the American aspect in particular, thus proved to be a fundamental preoccupation. A word is justified, therefore, as to the attitude toward the United States. Its first full and courteous reply, showing a certain parallelism in action and a definite repugnance of aggression, was received with interest and appreciation. It not only indicated a general unity of objective but also removed the old fear that America might take positive measures to resist collective action, no matter how much swollen war trade or profiteering developed.

A further extension of Secretary Hull's thoughts on the theory of sanctions and his tendencies to embrace the dictates of the League of Nations can be noted in his radio address of November 6, 1935. The date is significant because it was within 10 days after he had advised the president of the Committee of Coordination of the League of Nations that our Government held parallel views with the League of Nations on the matter of neutrality. Review the language of that radio address and determine for your own satisfaction whether it is a step toward coordinate action with the League in invoking sanctions against Italy (radio address State Department document):

To assume that by placing an embargo on arms we are making ourselves secure from dangers of conflict with belligerent countries is to close our eyes to manifold dangers in other directions. The imposition of an arms embargo is not a complete panacea, and we cannot assume that when provision has been made to stop the shipment of arms, * * * we may complacently sit back with the feeling that we are secure from all danger. * * * So, also, transactions of any kind between American nationals and a belligerent may conceivably lead to difficulties of one kind or another between the nations and that belligerent. * * * The Executive should not be unduly or unreasonably handicapped. There are a number of ways in which discretion could wisely be given the President which are not and could not be seriously controversial. These might well include discretion as to the time of imposing an embargo. Moreover, we should not concentrate entirely on means for remaining neutral and lose sight of other constructive methods of avoiding involvement in wars between other countries. * * * Our own interest and our duty as a great power forbid that we shall sit idly by and watch the development of hostilities with a feeling of self-sufficiency and complacency when, by the use of our influence, short of becoming involved in the dispute itself, we might prevent or lessen the scourge of war.

Where is the line of demarcation in using our—United States—influence "short of becoming involved in the dispute itself"? We are not a member of the League of Nations and we are not obliged to take any action in its decisions nor assume responsibilities for its errors. Why should we adopt any measure such as sanctions which could be construed as unfriendly to either of the belligerents? If the policy of Mr. Hull is to use a "moral influence", then he must be cognizant of the possible results of such action and appreciate that European statesmen have been known to change their minds and leave us to carry the burden.

Finally, in this chain of events, all of which are subsequent to the date of the letter Mr. Hull received from the League of Nations committee on coordination, I submit his own statement—State Department document, November 15, 1935—as conclusive proof of his desire to follow the League policy on the matter of sanctions of certain commodities, such as oil, copper, trucks, tractors, scrap iron, and scrap steel:

The American people are entitled to know that there are certain commodities such as oil, copper, trucks, tractors, scrap iron, and scrap steel which are essential war materials, although not actually "arms, ammunition, or implements of war", and that according to recent Government trade reports a considerably increased amount of these is being exported for war purposes. This class of trade is directly contrary to the policy of this Government as announced in official statements of the President and Secretary of State, as it is also contrary to the general spirit of the recent Neutrality Act.

No mention of these commodities as constituting "essential war materials" was made by the President. In fact, the language "essential war materials" was coined by Mr. Hull to justify his statements, and at no point was this language used in the Neutrality Act. These commodities were never intended to be included in the provisions of the Neutrality Act passed by Congress in August. Consequently, they could not be classed as "arms, ammunition, or implements of war" in the President's proclamation. Mr. Hull did not reach the conclusion that such commodities were "essential war materials" until this date, November 15, 1935, exactly 20 days after his reply to the letter of the Committee on Coordination of the League of Nations. With full knowledge that the commodities enumerated in his statement of November 15, 1935, quoted above, were not, either by implication or by intent, intended to be included as "arms, ammunition, and implements of war" by the Congress of the United States, he seeks to justify an embargo on this class of trade by saying, quote:

This class of trade indirectly contrary to the policy of this Government as announced in official statements of the President and Secretary of State, as it is also contrary to the general spirit of the recent Neutrality Act.

What does Mr. Hull mean by the "general spirit of the recent Neutrality Act"? There is no such thing under our system of government as the "spirit of neutrality." Neutrality is a matter of definite law. One cannot read into the Neutrality Act, passed in August, "a spirit of neutrality", because neutrality is a policy of government and not of individuals. Again, I repeat, it is a definite law with definite provisions, and Secretary Hull or anyone else has no right to issue misleading statements of this type. Those who are shaping our policies should be mindful that the American

people recognize a government of laws and not of men. Secretary Hull knows that the commodities enumerated by him were not included in the language of the Neutrality Act passed in August, but in direct violation of the principles that we like to call American freedom, he attempts to coerce his fellow citizens into the belief that they must embrace the spirit of the neutrality law in order to be law-abiding citizens. Is it any wonder, after analyzing our foreign policy in relation to the present Italo-Ethiopian conflict, that the League of Nations believes that we stand foursquare in support of their policies, notwithstanding the fact that the American people through their accredited representatives in the Senate of the United States, have defeated efforts to enroll our Government as a member of the League on several occasions during the past 15 years. The safety of the United States is our concern.

Let me say that the American people are pro-American and the foreign policy of our Government in the future should reflect that opinion. Let us keep out of war by refraining from the policy of invoking sanctions against Italy, for such a policy will inevitably embroil us in war. We have no quarrel with Italy, but let us not fool ourselves—we cannot take sides and be neutral at the same time. We have prescribed a definite American policy on neutrality. This was done in a time of peace (August 1935), and for us to change the rules in wartime to accommodate the League of Nations is, in my opinion, a hostile act. Keep in mind these fundamentals—that sanctions mean war and that we will be drifting toward war if we invoke sanctions against Italy. The League of Nations is a war trap. Let us keep out of it both in fact and in effect. America's desire for peace at home will most certainly be endangered by an American attempt to make peace abroad. Hands off is the safest policy. Let us not invoke sanctions against Italy. The present Neutrality Act, passed during peacetime (August 1935), needs no further amendment.

BROKEN PLEDGES TO ITALY

The nations which invoke sanctions against Italy today are those which failed miserably to fulfill the provisions of their contract with Italy embodied in the Secret Treaty of London signed in 1915 by Italy, France, Great Britain, and Russia. Italy agreed to use her entire resources and manpower in waging war against the common enemy, Germany. The measure of Italys' fulfillment of that contract is her casualty list. More than 670,000 of her young men gave their lives in the World War. What were the pledges of the Allies made in 1915 to Italy? Here are the plain facts:

Article 13 of the treaty provided that in the event of France and Great Britain increasing their colonial territories in Africa at the expense of Germany, Italy might claim equitable compensation.

After the war, Great Britain and France shared between them the vast former territories of the Cameroons, Togoland, and German East Africa. Other extensive regions went to Belgium and the Union of South Africa. Only Italy received nothing.

The high moralists of the League of Nations, preaching their lofty doctrines of the sacredness of League obligations, pilloried Italy because she had ventured to assert her rights and claim a place in the sun that other countries had already taken good care to secure for themselves. They have never raised a voice against the violation of a treaty signed long before the League was even thought of. It is a common maxim among lawyers that he who invokes a court of equity must go into court with clean hands. Is it for those who have broken their promises to Italy to arraign her for alleged breaches of her obligations?

OUR DEBT TO ITALY AND THE ITALIAN PEOPLE

When people speak of a debt that is owed a nation the expression is used generally in the abstract sense and often without an appreciation of the proof available to support the truth of the statement. It is fine to speak of a great race of people and to extol its contributions to human progress, as a reminder to those who would oppress that race or impugn its motives in matters of world interest. Such is the predicament that Italy finds herself in today. Nations whom Italy has befriended in their hour of need are today invoking economic barriers to halt her plans, plans not of aggression but rather of self-preservation. The memory of nations—if I may be permitted to use that phrase—that comprise the League of Nations is short-lived. Italy responded in the World War and gave generously of her resources and manpower to aid the oppressed nations of Europe, without gain either in bounty or in the acquisition of territory. History relates that the birth of modern Europe, during the period of the Renaissance, is inseparable from the history of Italy. It was Italy that aroused the European youth to progressive action in the spheres of arts and sciences. It was she who revealed the treasures of ancient learning, so that the products of the Roman, the Greek, and the Hebrew civilizations were put at the disposal of all. Her geniuses have spread culture, learning, and advanced thought over the entire world; and it is to her universities that the youth of Europe go for inspiration, for Italian education has given great benefits to the intellect of mankind. Her contributions in the fields of sculpture and music over centuries are too well known to relate at this time, and for her accomplishments in literature, arts, and sciences the world will be paying tribute to her for generations to come. Italy's treasures are the world's treasures, and the world is interested in perpetuating an Italy which should be given free scope to develop her genius.

In more modern times, we need only review the accomplishments of Italy as an ally in the World War. When the World War broke out, Italy was the most powerful European nation not at war. She could have thrown the balance of power in either direction. Italy had the only large fleet not at war, and it alone could have established a cruising superiority in the Mediterranean for either side. Yet her very actions, even though not a participant in the war at its outbreak, savored of what might be termed a benevolent neutrality for the Allies, for the Italian troops were withdrawn from the French frontier when war was declared so that France need not keep her troops to guard this line, but instead put them to use in the cause of the Allies. Italy's entrance into the war was a voluntary act. Her soil had not been invaded. The Allies, by the Pact of London, guaranteed that the Italian areas of the Dual Monarchy were to be released to Italy. When Italy declared war, it was a dark moment for the Allied cause. Germany had won memorable battles and the demoralizing effect of modern German warfare was taking its toll in the Allied troops. In 1915, 1916, and 1917 we witnessed 12 distinct yet devastating battles of the Isonzo by the Italian Army. The Italian morale was high. The Austrian advance was repeatedly stopped at the cost of thousands of lives of Italian heroes killed on the field of battle. We need only recount the battle of Piave, and the Battle of Vittorio Veneto in 1918 which practically annihilated the Austro-Hungarian Army in which it is estimated at least one-third of the Austrian infantry and practically the whole of the Austrian artillery were in the hands of the Italian troops.

The Battle of Vittorio Veneto was one of the most important battles in history. It was one of the most decisive victories of the World War and, in point of numbers of men engaged on both sides—almost 2,000,000—the greatest battle of all history. It was essentially an Italian victory, for more than 90 percent of those engaged on the side of the Allies were Italians. The Battle of Vittorio Veneto cost Italy more than 35,000 dead. At the time of the armistice, Italy held over one-half million Austrian prisoners. Out of a population of 50,000,000, Italy mobilized 5,000,000 for her Army. She lost in all more than one-half million killed and more than 1,000,000 wounded. It is idle to speculate as to who won the war. No one nation can claim that honor, but with Italy, as with America, it may be truthfully said that if she had remained neutral, the war would have lasted much longer and possibly would not have been won by the Allies.

It is to Italy whose genius has given us modern sculpture and art, whose painters and their exquisite works will live until time is no more, whose peasantry have taught the world the love of music and song, whose scholars were the liberators of human thought, whose teachers have revealed the treasures of learning, and whose soldiers have fought the

most memorable battles in history, that we owe a duty to remain neutral in the present Italo-Ethiopian conflict, and by such action pay, in part at least, the debt of gratitude which we owe that great nation.

THE IMPORTANCE OF OUR WILDLIFE

Mr. FADDIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. FADDIS. Mr. Speaker, it is hoped by our millions of citizens interested in the sports of field and stream that the convention of the North American Wildlife Conference, held in the Nation's Capital February 3–7, 1936, will result in a worth-while national program for the conservation and restoration of our fish and game. Such a program has indeed a very logical place in our national life and economic system and is worthy of serious consideration, at this or any other time. In our heedless race of industrialism we have made multitudes of mistakes, many of which are excusable; but the most of our mistakes made in connection with our fish and game are inexcusable. They are the result of a short-sighted policy to satisfy the greed of special interests.

Who can calculate the value of recreation to a nation in health, wealth, or morals? Outdoor exercise is a necessity to most people in order to enable them to maintain a satisfactory state of health. Not everyone is financially able to belong to a golf club, and many prefer other forms of sport. Idleness is an abnormal state for human beings and leads to many violations of the rights of society. With the advent of shorter hours for labor, more opportunities are demanded by man for recreation. Where can our citizens look for assistance in recreational desires if not to the Government which was instituted, among other purposes, to promote the pursuit of happiness? Our fish and game, the pursuit of which is the recreation of a large percent of our population, has been so mercilessly persecuted by our commercial interests as to be nearing extinction.

In the past we have contented ourselves with passing laws to shorten the season and reduce the bag limit, thereby hypnotizing ourselves into a false sense of security. What can it avail us to shorten the number of open days for fishing in waters so poisoned by industrial wastes that no fish can live in them? Why reduce the bag limit on wild ducks, when we have almost annihilated them by a foolish, uneconomic system of wiping out their breeding grounds? Why endeavor to protect elk and antelope from being killed by sportsmen and at the same time allow our Forest Service to be prostituted to the interests of politically protected sheep which, by taking the natural feed of these animals, are exterminating them by starvation? Why close the season on upland game and not protect their natural habitat from being denuded of the vegetation which protects the steep hillsides from erosion and prevents disastrous floods which cause millions of dollars worth of damage each year?

Our past experience demonstrates, beyond the possibility of a doubt, that restriction will not bring back our vanishing game. We must get down to the fundamentals of the proposition. We must have a system of protection and replenishing or we will have no game. Surely, in our program of retiring submarginal lands and curtailing crop production, some attention should be devoted to increasing that valuable crop of this Nation of which there is no surplus—fur, fish, and game. We have made a splendid start in this direction in our C. C. C. camps. Let us continue along this line.

It is man's ambition to leave to his children a better start, in the material things of life, than that which he enjoyed. Let us also insure that we leave to our posterity a more abundant heritage in our wildlife than our fathers left us.

Our crop of fur, fish, and game is an important one to the Nation if measured only by the yardstick of economics. Fish, game, and fur-bearing animals are no inconsiderable items in our national income. In the neighborhood of 13,000,000 sportsmen pay as many million dollars yearly for licenses, to say nothing of the licenses paid upon dogs kept purely for hunting purposes. Besides this, a vast industry derives its revenue from the guns, shells, boots, clothing, fishing tackle, and other accessories which our sportsmen purchase. This expenditure will undoubtedly run well over $1,000,000,000 per year. Guiding, boarding, and transporting this army is also a considerable industry. Many of us who were reared upon a farm can look back to the time when the first money we ever earned was by trapping fur in the farm woodlot. Many a drained marsh has never produced as much revenue since being drained as it formerly returned from muskrat pelts. In the comparatively closely settled State of Pennsylvania I believe that $5,000,000 per year is a conservative estimate of the value of fur caught during the last 15 years.

To the farmers of the Nation I should like to say that the proposition to replenish and conserve our wildlife should be particularly interesting to them because there is a very definite future for them in such a program. Anyone fond enough of hunting or fishing to buy a license would rather pay $5 for a license and have game, than to pay $1 and have very little or no game. A system whereby the farmer gets his fair share of the increased licenses is easily within the realm of possibility. Indeed such systems have been put into effect very successfully in various States. A splendid field is opening, which so far has hardly been scratched, in which farmers and sportsmen will work in cooperation, to the mutual advantage of each, for the conservation and restoration of fish and game. The leasing of hunting rights on cover, properly stocked with game, will produce revenue from a new source of resources, as real as any of the other resources of the farm. There is also a very attractive industry in sight in the shape of game farming. Such cooperative movements are certain to result in a closer bond of sympathy between our urban and rural populations, and will produce a better understanding of the problems of each. Then too, the farmer, by such a movement will be placed more closely in touch with a personal market for many of his small cash crops which are such an important part of the farm income. The farmers will benefit by prevention of disastrous floods, with their consequent erosion and destruction of crops. A national program, such as is advocated, will also assist in maintaining nature's system of checks and balances, and is the most expeditious manner, in which to combat that most dangerous enemy to agriculture—the invading insect. Most certainly any movement having to do with the prevention of stream pollution would be highly beneficial to the farmer, from an economic viewpoint as well as to the sportsman from the viewpoint of recreation.

We must recognize, of course, that it was necessary to curtail the activities of some species of our game in the interest of development. For instance, it would neither be possible nor desirable to return the buffalo to our prairies, or to any part of them. On the other hand we have vast areas which, under present conditions, can be of value to us only in connection with such a program as the one proposed. These wastes should be made into recreational centers for the people of the Nation. If this is not done, hunting and fishing will, in a few years, be in the same position here as it is in Europe, a sport for the wealthy alone.

One of the least excusable of our mistakes has been that of permitting the pollution of our streams. Naturally, this is particularly true of our industrial sections, the very sections in which we are in the most need of those recreational facilities which can be afforded by unpolluted streams properly stocked with fish. Where is there a more wholesome sport than fishing? The two extremes of society will fish in harmony, side by side, exchanging bait, advice, tackle, tobacco, and genuine sympathy for the big one which got away. Where was there ever a more democratic institution than the old swimming hole? What a crime against God, who gave to us the pure and sparkling water, to allow the pollution of our streams. Sulphurous water from mines, acids from factories, sawdust from sawmills, refuse from towns and cities, in open violation of the laws of man, God, and common decency, have made the existence of life in many of our streams impossible and near them undesirable. The wastes of the privileged few have been allowed to destroy the playground of the masses. Is

it any wonder that the masses meet for recreation in unwholesome surroundings, which foster communism and crime? Give us more hunting and fishing grounds, and we will need fewer penitentiaries and reformatories. Streams are, in most cases, interstate matters, and Federal legislation is necessary to prevent pollution.

The desire of mankind for recreation is strong and undeniable. The urge to hunt and fish is more than a mere desire for recreation. It is an assertion of a latent instinct in man to draw upon nature's barnyard for meat. This instinct comes down to us from the dim past, when only those who were proficient in the chase survived. We are the descendants of those who did not starve to death during the hard winters of the Stone Age. Many of us are indeed but a few generations removed from those who hunted from necessity. The necessity has disappeared but the instinct is still strong. As taxpayers and owners of undivided interests in the public lands we have the right to demand consideration. Game belongs to the State, and although it may inhabit private lands, is subject to State regulation. Since its nonexistence so adversely affects the recreation of so many of our citizens we must consider it a question of major importance.

We have numerous associations interested in the preservation and restoration of our wildlife. For all of their efforts, each year game becomes less plentiful. The reason for this is their failure to cooperate in a Nation-wide movement to forward their common purpose. Until those in favor of conservation and replenishment unite and combine their efforts, to first of all, preserve the habitat of our game, any other efforts are futile. Game, as well as any other form of life, must have a home. It is a sad fact that we have to a large extent destroyed its public home, and that today most of our game exists on private land. Some States possess a public home for game, but many do not. A wise system of management in either case is the only remedy. Give the game a chance on public lands and the owner of private lands a square deal, and we will have game in abundance.

Surely there must be enough in common among the 13,000,000 sportsmen, combined with those interested from the commercial viewpoint, to enable them to unite upon a reasonable logical national plan to save our game from extinction.

Pennsylvania furnishes examples, both of conservation and extermination, which are worthy of consideration. It also furnishes an example of the lack of cooperation between those interested and those who dictate policies. Thirty years ago deer were almost extinct in Pennsylvania, and beaver entirely so. By a wise system of protection and replenishing, in a comparatively few years both animals became abundant—so abundant in fact, that lacking sufficient natural food, they became, in some sections destructive to private property, and in others threatened with starvation. Ordinarily the season is open only on bucks having pronged horns. Every few years this results in a surplus of does and a deer population too numerous, in some localities, for the natural food. A large percent of these does are old barren does and should be killed off.

From time to time the season has been opened on antlerless deer. The result has been that meat hunters swarmed to the woods, knowing that does are more easily killed than bucks, and have shot at any deer in sight. If the deer killed happened to be illegal, they took a chance on the next one. The whole matter is nauseating to the senses of any true sportsman. In 1931, 70,255 antlerless deer were killed, of which only a small percent were the undesirable barren does. Fawns, spike bucks, fertile does, and hunters bore the brunt of this unwise policy. The sensible way in which to accomplish this reduction would be to have the game wardens and foresters in each locality kill off these barren does during the closed season and market the meat and hides for the benefit of the game fund. These barren does can easily be distinguished, and in this manner the affair could be managed without the loss of human life and damage to the breeding stock which otherwise results. The sportsmen of Pennsylvania are all agreed upon this matter, but lack of cooperation among them has failed to secure the proper procedure.

Nature is a wonderful and prolific mother. She will make every possible effort to replenish and perpetuate her children, and has endowed her children with a high degree of adaptability. All she needs is the assistance of man, in the form of a sensible plan whereby he shall cease to destroy, unnecessarily, the natural home and food of our fish and game, some aid in protecting it from predatory vermin, a reasonable bag limit, and she will replenish our supply of game. If we are to leave to our posterity any opportunity to enjoy the delights of Nature's playgrounds, we must unite upon a rational national plan of conservation and restoration before it is too late.

NEUTRALITY AND THE LESSONS OF THE WORLD WAR

Mr. IMHOFF. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. IMHOFF. Mr. Speaker, I am in favor of any neutrality bill that will keep the people of the United States out of war. If House Joint Resolution 422, introduced by the gentleman from Tennessee, will do it, I am for it; if House Joint Resolution 491, introduced by the gentleman from Ohio, will keep us out of war, I am for that.

I know that the people of the United States from the Atlantic to the Pacific, and from Mexico to the Canadian boundary, are opposed, now and for all time, to war. Our people may differ in politics, religion, and in the best ways to settle our economic problems, but in one thing they are united, and that is that they are wholeheartedly against any sort of entanglement that would have any tendency to lead our country into another foreign war.

The World War taught our people some lessons that they are going to remember for generations to come. It is easy to start a war; it is easy to be led into a war started by someone else. The world, after 22 years, is debating who started the last war. There has been an investigation during this session of Congress as to how we got into it. The fact that the question, "Who started the World War?", and the further question, "How did we get into it?", can hardly be satisfactorily answered, only goes to show how careful we should be in any neutrality measure. The fact remains that we got into the World War whether we know how we got into it or not. At any rate, we paid the price. In the way of preparation it cost us $25,000,000,000; we loaned over $12,000,000,000 to the Allies, and it is quite likely that we will never collect another dollar of it; we sent 2,000,000 men across 3,000 miles of water to take part in that great struggle. Today 75,000 of those boys are sleeping over there, some of them on the plains of Picardy, some in the valley of the Marne, and some in Flanders field.

We told ourselves that this was a war to end war. We told our boys that when autocracy was crushed for all time no other boys in the years to come would ever be called upon to engage in a foreign war. We promised the mothers, the wives, and the sweethearts of those boys that never again would mothers, wives, and sweethearts be asked to sacrifice their loved ones to the god of war. We believe that by our aid the tide was turned and victory was won, but, after all, what did we get out of it? Nothing. What did it settle? Nothing. What did any war ever settle? In war no one, no country, ever wins. Both sides lose. In the World War our country made such sacrifices that it will not recover in the next hundred years. One-half of all the wealth of the world was blown and blasted away. If all the men who were killed in the World War were to march past you 10 abreast, it would take 45 days of marching day and night for them to march past you. Other untold millions were maimed and disfigured, their minds wrecked or destroyed; many others, on account of their wounds, handicapped in their employment; all of them disillusioned as to the efficacy and the profits of war. And then to think that out of all this cataclysm of carnage and destruction that nothing was won and nothing was settled. Is it any wonder that the people of this country have determined that absolutely under no provocation will we ever again engage in another European War? And I say to you

that neither this Congress nor any other Congress for generations to come will dare to presume to vote the people of this country into another foreign war.

I am told that the United States Government is now, after 124 years, paying pensions to dependents of soldiers of the War of 1812; we are also paying pensions to dependents of veterans of the Mexican War; the United States Government is now paying pensions to hundreds of thousands of dependents of soldiers of the Civil War; and this Government for the next 150 years will be paying pensions to dependents of World War veterans, so that in the end our participation in the World War will cost the taxpayers of this country over $100,000,000,000. When will we learn that war does not pay, that war has no profits, that war never settles anything? When will we learn that the welfare and happiness of the great mass of people of our country depend not upon war but upon peace?

War is as old as the human race. It has been the heritage of our generation to learn without question the price that a people has to pay for war. We see today a world war-weary and in economic ruin, and I warn you that civilization cannot stand another world war. The thinking people of the whole world are groping about trying to find an answer; a way out to economic happiness; and a guaranty for perpetual peace.

Today, because we are outside the maelstrom of European bickering, we are the leaders of the thought of the world. We must not fail in our task. It is ours to lead the rest of the world to an understanding of lasting peace. Otherwise the lessons of the World War must be learned over again and its loss and sacrifice will have been in vain. God forbid.

ENFORCEMENT OF TWENTY-FIRST AMENDMENT

Mr. SUMNERS of Texas. Mr. Speaker, today the House passed a bill (H. R. 8368) to enforce the twenty-first amendment. This bill is not in shape to pass; questions about it have arisen since its introduction.

Mr. Speaker, I asked unanimous consent that the action of the House in passing the bill (H. R. 8368) to enforce the twenty-first amendment be vacated.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman tell us something about the bill?

Mr. SUMNERS of Texas. The title of the bill is to enforce the twenty-first amendment. I may say to the gentleman from Massachusetts that since the bill was introduced representatives from some of the States which were sought to be benefited by the bill say the bill is not satisfactory; and we have not been able to get an agreement amongst the States to be benefited by the administrative forces of the Government. I do not know whether a satisfactory solution can be worked out or not.

Mr. ZIONCHECK. Mr. Speaker, reserving the right to object, what is wrong with the bill as it is now drafted? Why not let it stand as it is and if a better bill should be introduced, report it out. Certainly the great Judiciary Committee did not make a mistake in having that bill placed on the calendar, did it?

Mr. SUMNERS of Texas. It is making no mistake now in asking to have the action of the House vacated; but the gentleman may do as he pleases about it.

Mr. ZIONCHECK. I object, Mr. Speaker.

NEUTRALITY

Mr. WHITE. Mr. Speaker, I was unable to be present when the vote on the neutrarity bill was taken. Had I been here I would have voted "nay."

NATIONAL INCOME AND EXPENDITURES

Mr. RICH. Mr. Speaker, I misunderstood the request of the gentleman from Georgia [Mr. BROWN]. I withdraw my objection to his request to extend his remarks in the RECORD and insert the matter referred to.

The SPEAKER. Is there objection to the request of the gentleman from Georgia to extend his remarks in the RECORD as indicated?

There was no objection.

Mr. BROWN of Georgia. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following excerpts from an address of Judge Blanton Fortson, a distinguished jurist in my State and district, delivered in Atlanta, Ga., last November, dealing with national income and expenditures.

From J. P. Morgan down to the most obscure reactionary politician come warnings that unless the so-called "spending program" of the Roosevelt administration is speedily abandoned, our economic and political systems will be destroyed.

Primarily, let us remember that most of the money the Government dispenses is lent or put into permanent improvements; and it should not be forgotten that for the money lent good security was taken, so that the borrower and not the taxpayer will pay it back.

Thus, of the 336 millions the Government has put out in Georgia since March 1933, 195 millions was in loans, about one-third of which already has been repaid; 140 millions, or 40 percent, has been spent in useful construction, and only 63 millions, or less than one-fifth, has been given in direct relief. I suppose this percentage holds good throughout the Nation.

Now, will the citizens be able to pay the taxes necessary to retire the debt the Government incurs for public works and direct relief?

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That they can do is demonstrated by very recent history. Soon after the World War began in 1914 conditions in this country became very bad. Due to the loss of German and other markets and severe restrictions of foreign demand, farm products fell below the cost of production; trade in general was depressed and our Republican friends talked of a "Wilson panic." But soon the Allies began to spend in this country enormous sums which they borrowed from American bankers and our national income began to rise. In 1917 we entered the war and our Government instituted the greatest spending program in its entire history. In 2 years it borrowed and spent at home over twenty-three billions. Contrast that with the nine billions the Roosevelt administration has been authorized by Congress to use in spending for recovery. In 1914 our national debt was $2,900,000,000. By 1919 it had risen to twenty-six and one-half billions.

But here is the other side of the picture. Our national income, which in 1914 had been $36,000,000,000, had by 1919 risen under the stimulus of this spending to seventy billions. It averaged above seventy billions for each year until 1930, and in 1929 was eighty-one billions. Out of the increased national income more than four billions were paid on the debt by 1922. Then Mr. Mellon's so-called sound fiscal policy was adopted; the income taxes in the higher brackets were reduced four times, and the average annual reduction of the debt fell off to a little less than a billion dollars. But, even so, according to Mr. Mellon's annual report, by June 30, 1930, the debt had fallen to fifteen billion nine hundred million. And it has been plausibly argued that it should have been reduced considerably lower by retaining the high surtaxes on the larger incomes, with very beneficial results to the Nation.

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Before Mr. Hoover's term expired the debt had risen to twenty-one billions, an increase of over five billions. Since Mr. Roosevelt has been in office it has risen nine billions to slightly more than thirty billions. But note the difference: While Mr. Hoover was spending, the national income steadily declined. By 1932 it had dropped from eighty-one billions a year to only thirty-eight billions, the lowest point since 1914. When Mr. Roosevelt started spending, the national income immediately began to rise. In 1933 it was forty billions; in 1934, fifty-one billions; and now, for 1935, it is conservatively estimated to be nearly sixty billions. The trouble with Mr. Hoover's spending was that it was not adapted to the problem he faced; it did not go far enough; it did not put purchasing power in the hands of the masses.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. MONTAGUE, indefinitely, on account of illness.

To Mr. GRAY of Indiana, for 1 week, on account of illness.

To Mr. MERRITT of New York, for Tuesday, February 18, on account of important business.

To Mr. KVALE (at the request of Mr. BOILEAU), indefinitely, on account of illness.

To Mr. STEAGALL (at the request of Mr. STARNES), indefinitely, on account of illness in family).

To Mr. HILL of Alabama (at the request of Mr. STARNES), indefinitely, on account of illness in family.

To Mr. OLIVER (at the request of Mr. STARNES), indefinitely, on account of illness.

SENATE BILL AND JOINT RESOLUTION REFERRED

A bill and joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 3130. An act granting the consent of Congress to the State of Tennessee and certain of its political subdivisions to construct, maintain, and operate a toll bridge across the Tennessee River at or near a point between Dayton and Decatur, Tenn.; to the Committee on Interstate and Foreign Commerce.

S. J. Res. 164. Joint resolution to authorize the selection of a site and the erection thereon of a suitable monument indicating the historical significance of the first entrance into the city of Washington of a steam railroad, and for other purposes; to the Committee on the Library.

ADJOURNMENT

Mr. BANKHEAD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 50 minutes p. m.) the House adjourned until tomorrow, Tuesday, February 18, 1936, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. SOMERS of New York: Committee on Coinage, Weights, and Measures. H. R. 7690. A bill to authorize the coinage of 50-cent pieces in commemoration of the two hundred and fiftieth anniversary of the founding of the city of Albany, N. Y.; with amendment (Rept. No. 2006). Referred to the Committee of the Whole House on the state of the Union.

Mr. SOMERS of New York: Committee on Coinage, Weights, and Measures. H. R. 8107. A bill to authorize the coinage of 50-cent pieces in connection with the celebration of the one hundredth anniversary of the opening of the tri-State Territory of east Texas, north Louisiana, and south Arkansas by Capt. Henry Miller Shreve, to be held in Shreveport, La., and surrounding territory in 1935 and 1936; without amendment (Rept. No. 2007). Referred to the Committee of the Whole House on the state of the Union.

Mr. SOMERS of New York: Committee on Coinage, Weights, and Measures. H. R. 8234. A bill to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the founding of the city of Elgin, Ill., and the erection of a heroic Pioneer Memorial; with amendment (Rept. No. 2008). Referred to the Committee of the Whole House on the state of the Union.

Mr. SOMERS of New York: Committee on Coinage, Weights, and Measures. H. R. 8886. A bill to authorize the coinage of 50-cent pieces in commemoration of the sesquicentennial anniversary of the founding of the city of Columbia, S. C.; with amendment (Rept. No. 2009). Referred to the Committee of the Whole House on the state of the Union.

Mr. SOMERS of New York: Committee on Coinage, Weights, and Measures. H. R. 9673. A bill to authorize the recoinage of 50-cent pieces in connection with the California-Pacific International Exposition to be held in San Diego, Calif., in 1936; without amendment (Rept. No. 2010). Referred to the Committee of the Whole House on the state of the Union.

Mr. SOMERS of New York: Committee on Coinage, Weights, and Measures. H. R. 10264. A bill to authorize the coinage of 50-cent pieces in commemoration of the fiftieth (golden) anniversary of Cincinnati, Ohio, as a center of music, and its contribution of the annual May festival to the art of music for the past 50 years; with amendment (Rept. No. 2011). Referred to the Committee of the Whole House on the state of the Union.

Mr. SOMERS of New York: Committee on Coinage, Weights, and Measures. H. R. 10317. A bill providing for a change in the design of the 50-cent pieces authorized to be coined in commemoration of the one-hundredth anniversary of independence of the State of Texas; without amendment (Rept. No. 2012). Referred to the Committee of the Whole House on the state of the Union.

Mr. SOMERS of New York: Committee on Coinage, Weights, and Measures. H. R. 10489. A bill to authorize the coinage of 50-cent pieces in commemoration of the two hundred and fiftieth anniversary of the founding and settlement of the city of New Rochelle, N. Y.; with amendment (Rept. No. 2013). Referred to the Committee of the Whole House on the state of the Union.

Mr. SOMERS of New York: Committee on Coinage, Weights, and Measures. H. R. 10906. A bill to authorize the Director of the Mint to prepare a medal commemorative of Texas independence, and for other purposes; without amendment (Rept. No. 2014). Referred to the Committee of the Whole House on the state of the Union.

Mrs. O'DAY: Committee on Immigration and Naturalization. H. R. 11040. A bill to deport certain aliens who secured preference-quota or non-quota visas through fraud by contracting marriage solely to expedite entry to the United States, and for other purposes; without amendment (Rept. No. 2017). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 11214. A bill for the relief of sundry claimants, and for other purposes; with amendment (Rept. No. 2015). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 11215. A bill for the relief of sundry claimants, and for other purposes; with amendment (Rept. No. 2016.) Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. AYERS: A bill (H. R. 11216) to amend the act of March 3, 1927, entitled "An act to amend section 1 of the act approved May 26, 1926, entitled 'An act to amend sections 1, 5, 6, 8, and 18 of an act approved June 4, 1920, entitled "An act to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes"'"; to the Committee on Indian Affairs.

By Mr. CALDWELL: A bill (H. R. 11217) to amend section 76 of the Judicial Code, as amended, with respect to the terms of the Federal district court held at Tallahassee, Fla.; to the Committee on the Judiciary.

By Mr. AYERS: A bill (H. R. 11218) to provide for the disposition of tribal funds now on deposit or later placed to the Credit of the Crow Tribe of Indians, Montana, and for other purposes; to the Committee on Indian Affairs.

By Mr. CHANDLER: A bill (H. R. 11219) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

By Mr. McGRATH: A bill (H. R. 11220) to amend section 2 of the act entitled "An act to establish the composition of the United States Navy with respect to the categories of vessels limited by the treaties signed at Washington, February 6, 1922, and at London, April 22, 1930, at the limits prescribed by those treaties; to authorize the construction of certain naval vessels; and for other purposes", approved March 27, 1934; to the Committee on Naval Affairs.

By Mr. DISNEY: A bill (H. R. 11221) to amend the last two provisos, section 26, act of Congress approved March 3, 1921 (41 Stat. L. 1225–1248); to the Committee on Indian Affairs.

By Mr. RAMSPECK (by request): A bill (H. R. 11222) to amend the civil-service laws with respect to the retirement of employees engaged in the apprehension of criminals; to the Committee on the Civil Service.

By Mr. SMITH of Virginia: A bill (H. R. 11223) to regulate gratuities, and for other purposes; to the Committee on the Judiciary.

By Mr. JOHNSON of Oklahoma: A bill (H. R. 11224) to extend the classified civil service to postmasterships of the first, second, and third classes, and for other purposes; to the Committee on the Civil Service.

By Mr. DISNEY: A bill (H. R. 11225) to establish the National Academy of Public Affairs, providing for a board of supervisors therefor, and making an appropriation for its establishment and maintenance; to the Committee on Education.

By Mr. JONES: Resolution (H. Res. 419) providing for the consideration of S. 3780; to the Committee on Rules.

By Mr. BEITER: Joint resolution (H. J. Res. 492) making an appropriation for public-works projects to provide work relief and increase employment; to the Committee on Appropriations.

By Mr. FENERTY: Joint resolution (H. J. Res. 493) directing the President of the United States of America to proclaim November 11 of each year as a national holiday for the observance and commemoration of the signing of the armistice; to the Committee on the Judiciary.

By Mr. McSWAIN: Concurrent resolution (H. Con. Res. 42) to recognize April 6 as Army Day; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of New York, regarding the sale of firearms in interstate commerce; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of New York, regarding flood control in certain counties in the State of New York; to the Committee on Flood Control.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. KENNEDY of Maryland: A bill (H. R. 11214) for the relief of sundry claimants, and for other purposes; to the Committee on Claims.

Also, a bill (H. R. 11215) for the relief of sundry claimants, and for other purposes; to the Committee on Claims.

By Mr. ANDREWS of New York: A bill (H. R. 11226) for the relief of the Percy Kent Bag Co., Inc., to the Committee on Claims.

By Mr. BUCK: A bill (H. R. 11227) to award the Distinguished Flying Cross to Lincoln Ellsworth; to the Committee on Military Affairs.

By Mr. CROSBY: A bill (H. R. 11228) granting a pension to Clara Dempsey; to the Committee on Invalid Pensions.

By Mr. HALLECK: A bill (H. R. 11229) granting an increase of pension to Hester A. Walmer; to the Committee on Invalid Pensions.

By Mr. HEALEY: A bill (H. R. 11230) for the relief of Alfred Aloysious Bligh; to the Committee on Naval Affairs.

By Mr. SAMUEL B. HILL: A bill (H. R. 11231) for the relief of Rasmus Bech; to the Committee on Claims.

By Mr. HOFFMAN: A bill (H. R. 11232) for the relief of Charles Hose; to the Committee on Military Affairs.

By Mr. HOLMES: A bill (H. R. 11233) for the relief of John P. Ryan; to the Committee on Claims.

By Mr. JOHNSON of Oklahoma: A bill (H. R. 11234) for the relief of Jack Stuckey; to the Committee on Claims.

By Mr. KNIFFIN: A bill (H. R. 11235) granting a pension to Myrtle R. Oldfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11236) granting a pension to Charles F. Boroff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11237) granting an increase of pension to Mary L. Hill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11238) granting an increase of pension to Elizabeth Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11239) granting an increase of pension to Frances A. Kuder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11240) granting an increase of pension to Catherine Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11241) granting an increase of pension to Eunice Palmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11242) granting an increase of pension to Nancy A. Welch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11243) granting an increase of pension to Ella A. Stevens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11244) granting an increase of pension to Margaret I. Reider; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11245) granting an increase of pension to Mary Buhrer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11246) granting an increase of pension to Catherine J. Cupp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11247) granting an increase of pension to Martha M. Ely; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11248) granting an increase of pension to Harriet Deamer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11249) granting an increase of pension to Abbie Davison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11250) granting an increase of pension to Sarah Marks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11251) granting an increase of pension to Jennie Kohn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11252) granting an increase of pension to Christena Huffman; to the Committee on Invalid Pensions.

By Mr. KOPPLEMANN: A bill (H. R. 11253) granting a pension to Alfred A. Abel; to the Committee on Invalid Pensions.

By Mr. MITCHELL of Tennessee: A bill (H. R. 11254) for the relief of William Wirt McDonald; to the Committee on Claims.

By Mr. MONAGHAN: A bill (H. R. 11255) for the relief of William Boyer; to the Committee on Claims.

Also, a bill (H. R. 11256) for the relief of M. M. Twichel; to the Committee on Claims.

By Mr. MOTT: A bill (H. R. 11257) granting a pension to Rose Berry; to the Committee on Pensions.

By Mr. NELSON: A bill (H. R. 11258) granting a pension to Samuel L. Poe; to the Committee on Pensions.

By Mr. O'BRIEN: A bill (H. R. 11259) for the relief of George Colton; to the Committee on Naval Affairs.

By Mr. PARSONS: A bill (H. R. 11260) granting an increase of pension to Effie Compton; to the Committee on Invalid Pensions.

By Mr. PLUMLEY: A bill (H. R. 11261) for the relief of widows of certain Reserve officers of the Army who died while serving with the Civilian Conservation Corps; to the Committee on Claims.

By Mr. RAMSPECK: A bill (H. R. 11262) for the relief of Brooks-Callaway Co.; to the Committee on Claims.

By Mr. REECE: A bill (H. R. 11263) granting a pension to Annie E. Jackson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11264) granting a pension to Mary E. Ringer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11265) granting a pension to Nora Henley Pierce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11266) granting a pension to Reatha Reneau; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11267) granting a pension to Hattie Harvey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11268) granting a pension to Lucy E. Huff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11269) granting a pension to Charlie Campbell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11270) granting a pension to Joke Campbell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11271) granting a pension to Sarah L. Ellison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11272) granting a pension to Hattie Campbell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11273) granting a pension to Robert N. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11274) granting a pension to Martha Story; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11275) granting a pension to Venia Moody; to the Committee on Pensions.

Also, a bill (H. R. 11276) granting a pension to Cinda Forbes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11277) granting an increase of pension to Sarah J. Lake; to the Committee on Invalid Pensions.

By Mr. SHORT: A bill (H. R. 11278) granting a pension to Mary E. Mitchell; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 11279) granting an increase of pension to Eliza V. Stevens; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

10125. By Mr. BIERMANN: Petition of L. O. Berridge and others of Oelwein, Iowa, asking for remedial legislation regarding star routes; to the Committee on the Post Office and Post Roads.

10126. Also, petition of Jud Gady and others of Oelwein, Iowa, asking for remedial legislation regarding star routes; to the Committee on the Post Office and Post Roads.

10127. By Mr. CUMMINGS: Petition of number of citizens of Weld County, Colo., urging Congress to restore to the District of Columbia its prohibition law by passing House bill 8739; to the Committee on the District of Columbia.

10128. Also, petition of 134 citizens of Logan County, Colo., urging Congress to restore to the District of Columbia its prohibition law by passing House bill 8739; to the Committee on the District of Columbia.

10129. Also, petition of patrons of star route no. 65130, Larimer County, Second Congressional District of Colorado, urging enactment of legislation to extend existing star-route contracts and increase the compensation thereon; to the Committee on the Post Office and Post Roads.

10130. Also, petition of patrons of star route no. 65199, Jefferson County, Second Congressional District of Colorado, urging enactment of legislation to extend existing star-route contracts and increase compensation thereon; to the Committee on the Post Office and Post Roads.

10131. Also, petition of patrons of star route no. 65172, Yuma County, Second Congressional District of Colorado, urging enactment of legislation to extend existing star-route contracts and increase compensation thereon; to the Committee on the Post Office and Post Roads.

10132. Also, petition of 54 citizens of the Second Congressional District of Colorado, urging Congress to restore to the District of Columbia its prohibition law by passing House bill 8739; to the Committee on the District of Columbia.

10133. Also, petition of 69 citizens of Larimer County, urging Congress to restore to the District of Columbia its prohibition law by passing House bill 8739; to the Committee on the District of Columbia.

10134. By Mr. DRISCOLL: Petition of citizens residing in towns served by star route no. 10212, petitioning Congress to indefinitely extend existing star-route contracts and increase the rate of compensation therefor; to the Committee on the Post Office and Post Roads.

10135. By Mr. GOODWIN: Petition of 45 citizens and patrons of star route from Carlisle to Central Bridge, N. Y., urging Congress to enact legislation at this session that will indefinitely extend all existing star-route contracts, and increase the compensation thereon to an equal basis with that paid for other forms of mail transportation; to the Committee on the Post Office and Post Roads.

10136. Also, petition of 26 citizens and patrons of star route from Sloansville to Central Bridge, N. Y., urging Congress at this session to pass legislation that will indefinitely extend all existing star-route contracts, and increase the compensation thereon to an equal basis with that paid for other forms of transportation; to the Committee on the Post Office and Post Roads.

10137. By Mr. HAINES: Petition signed by 114 constituents of York County, Pa., endorsing Townsend old-age-pension plan; to the Committee on Ways and Means.

10138. By Mr. JOHNSON of Texas: Petition of Vera Allday and Caymae Cosby, of the Alday Beauty Shop, Dawson, Tex., opposing House bill 10124; to the Committee on Interstate and Foreign Commerce.

10139. By Mr. JONES: Petition of Perry Gober and 77 other citizens of Canadian, Tex.; to the Committee on the Post Office and Post Roads.

10140. By Mr. KENNEY: Petition of the Linden High School Parent-Teacher Association, endorsing the Federal food and drugs bill, and House bill 6472, and petitioning that they be brought before the House of Representatives; to the Committee on Interstate and Foreign Commerce.

10141. Also, petition of the North Hudson Real Estate Board, favoring appointment of a commission to establish a clear height on the bridge over the Hudson River from New Jersey to New York by the North River Bridge Co.; to the Committee on Interstate and Foreign Commerce.

10142. By Mr. KRAMER: Resolution of the Los Angeles Bar Association, relative to the adoption of legislation to provide the United States Circuit Court of Appeals for the Ninth Circuit with additional judges, etc.; to the Committee on the Judiciary.

10143. By Mr. LAMBERTSON: Petition of Mary Vories and 35 other citizens, all of Wathena, Kans., favoring passage of House bill 8739; to the Committee on the Judiciary.

10144. Also, petition of O. E. Replogle and 14 other citizens, all of Oskaloosa, Kans., advocating the legislation proposed by the National Star Route Carriers' Association; to the Committee on the Post Office and Post Roads.

10145. By Mr. MICHENER: Petitions signed by D. E. Hewitt and 111 other residents of the Second Congressional District of Michigan, residing in the territory served by star route no. 37345, urging that legislation be enacted indefinitely extending all existing star-route contracts, and increasing the compensation thereon to an equal basis with that paid for other forms of mail transportation; to the Committee on the Post Office and Post Roads.

10146. By Mr. MOTT: Petition signed by Gertrude Dick, Eugene, Oreg., and 34 other members of the Eugene Central Woman's Christian Temperance Union, urging the enactment of House bill 8739; to the Committee on the District of Columbia.

10147. By Mr. O'CONNELL: Petition requesting Congress to restore to the District of Columbia its prohibition law by passing House bill 8739; to the Committee on the District of Columbia.

10148. By Mr. PARKS: Petition concerning star-route contracts, etc.; to the Committee on the Post Office and Post Roads.

10149. Also, petition concerning star-route contracts, etc.; to the Committee on the Post Office and Post Roads.

10150. By Mr. PFEIFER: Petition of the National Women's Moderation Union for Legalizing Lotteries, Inc., New York City, urging support of Congressman KENNEY's lottery bill; to the Committee on Ways and Means.

10151. Also, petition of the Senate of the State of New York, Albany, urging consideration of the report and recommendations for permanent flood-control works in certain counties of New York State; to the Committee on Flood Control.

10152. Also, petition of the National Music Printers and Allied Trade Associations, New York, urging hearings on the Duffy copyright bill (S. 3047); to the Committee on Patents.

10153. By Mr. SANDERS of Texas: Petitions of citizens of Wood, Smith, and Van Zandt Counties, Tex., requesting enactment of legislation to extend all existing star-route contracts and increase the compensation thereon to an equal basis with that paid for other forms of mail transportation; to the Committee on the Post Office and Post Roads.

10154. By Mr. SNELL: Petition signed by patrons of star route no. 7139, relative to legislation to extend all existing star-route contracts, and increase the compensation thereon; to the Committee on the Post Office and Post Roads.

10155. By Mr. WILLIAMS: Petition of Victor Roth, of Wittenberg, Mo., and others, requesting changes in the tenure of office and compensation of star-route mail contractors; to the Committee on the Post Office and Post Roads.

10156. By the SPEAKER: Petition of various citizens of Kuttawa, Ky., to the Committee on the Post Office and Post Roads.